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OF

NEGRO HISTORY

FOUNDED BY
CARTER G. WOODSON
January 1, 1916

WILLIAM M. BREWER
Editor

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THE ASSOCIATION FOR THE STUDY OF NEGRO LIFE AND HISTORY
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NEGRO RESISTANCE TO THE EARLY AMERICAN SLAVE TRADE

Negro slavery existed in North America for nearly two and a half centuries, and was destroyed only after a long and brutal civil war. It is to state the obvious, therefore, to say that Negroes somehow adapted themselves to the demands of the institution. Possessed of complete and virtually unchallengeable authority, the white slave owners made the institution of slavery work. The most discernible reaction by Negroes to the conditions imposed by slavery was one of accommodation and adjustment. Yet it is also clear that not all Negroes accepted slave status without complaint and challenge, for Negro resistance to slavery has been convincingly demonstrated. Negroes organized conspiracies, they participated in open rebellion, and they countered the machinery of slavery at every weak point. Illness was feigned, slave women falsely asserted their pregnancy, property was destroyed and harsh and cruel use was made of livestock. Field hands developed techniques to slow their work and became skilled at presenting false appearances. Some, given the opportunity, fled from their assigned tasks and became runaways. On another level, slaves were capable of self-mutilation and even suicide, while slave mothers took the lives of their own children rather than see them grow to adulthood as slaves. In short, as one authority has said, Negro slaves were 'troublesome property.'[1]

[1] Kenneth M. Stampp, *The Peculiar Institution: Slavery in the Ante-Bellum South* (New York, 1956), Chap. III. See also Herbert Aptheker, *American Negro Slave Revolts* (New York, 1943); Harvey Wish, "American Slave Insurrections Before 1861," *Journal of Negro History*, XXII (July, 1937), 299-320; Raymond A. Bauer and Alice H. Bauer, "Day to Day Resistance to Slavery," *ibid.*, XXVII (Oct., 1942), 388-419.

Negro resistance to slave status first appeared, however, with the trading procedures in Africa, which resulted in the sale of the Negroes to white slaving captains for transport abroad to the market. Every stage in the Negro traffic was marked by slave behavior which was uncooperative and belligerent. Negroes resisted their removal from the interior of Africa to the sea. Reaching the coast, they sought to prevent departure from their homeland by rising in rebellion. Once taking leave of the coast and while on that leg of the slaving voyage called the 'middle passage,' the Negroes engaged in mutiny. Finally, after arriving in America, slaves behaved in a manner that would interfere with if not prevent their sale.[2]

The slave trade began with the capture of Negroes who would be sold as slaves. Wars between neighboring tribes were the principal means of acquiring slaves for overseas transport. In time, however, village and tribal wars had become less an end in themselves and more a device used by local chieftains to obtain prisoners suited for exchange with the white trader. When the King of Barsally wanted English goods or drink, wrote Francis Moore, an employee of the Royal African Company, "he sends a Messenger to our Governor, at *James* Fort, to desire he would send a Sloop there with a Cargo; this News being not at all unwelcome, the Governor sends accordingly. Against the Arrival of the said Sloop, the King goes and ransacks some of his Enemies Towns, seizing the People, and selling them for such Commodities as he is in want of. . . ."[3] This encouraged Europeans to promote discord and rivalry between neighboring chieftains, so that more slaves would be available, while the Africans also discovered additional expedients to increase the number of persons qualifying as slaves. "All Punishments are chang'd into Slavery," one

2 Although Negro resistance to the slave trade has never been carefully explored, it has received some attention. Daniel P. Mannix and Malcolm Cowley, *Black Cargoes: A History of the Atlantic Slave Trade, 1518-1865* (New York, 1962), pp. 104-130, examines slave mutinies. Lorenzo J. Greene, "Mutiny on the Slave Ships," *Phylon*, V (Fourth Quarter, 1944), 346-354, is much more limited in scope, for it deals with slave uprisings on New England vessels only.

3 Francis Moore, *Travels into the Inland Parts of Africa* . . . (London, 1738), p. 65.

observer wrote, "every Trifling Crime" being made punishable by sale into slavery.[4] The Africans became intoxicated, sometimes literally, with the goods offered in trade by the whites. And if the testimony of the white traders can be accepted, every devious method imaginable was used to gain slaves. An official of the French West African Company stated that

> Those slaves sold by the Negroes are for the most Part Prisoners of War, taken either in fight or pursuit, or in the incursions they make into their Enemies territories; others are stolen away by their own Country-Men, and some there are who will sell their own Children, Kindred or Neighbors. This has often been seen, and to compass it, they desire the person they intend to sell, to help them in carrying something to the Factory by way of Trade, and when there, the Person so deluded, not understanding the Language, is sold and delivered up a Slave, notwithstanding all his Resistance and exclaiming against the Treachery.[5]

The slave trade was thus a cooperative venture, shared in by blacks and whites, and it was a union of interests that contributed to its success. Cooperation in a joint effort was possible because each side had something which the other lacked but desired. The tribal chiefs had slaves to sell, as well as other African products—gum, ivory and gold, to name the most important. The whites, for their part, created a demand for their goods, giving, in return for slave cargoes, rum, pots and kettles, guns, ammunition, cloths of all descriptions, glass ware, beads and trinkets, and an assortment of other items.[6]

For the Negroes, captured in village wars and raiding forays, the march to the coast was the first portion of a journey which in the end would take them to the New World and a life of perpetual servitude. This part of the trade, completely in the hands of the Africans, is less open to examination; records reporting on the march to the

[4] *Ibid.*, p. 42.

[5] Quoted in Anthony Benezet, *Observations on the Inslaving, Importing, and purchasing of Negroes* . . . (Germantown, Pa., 1759), pp. 5-6.

[6] One trader wrote that in return for their slaves the Africans received "guns, powder, ball, dry goods, pewter, brass kettles, pans, with iron bars and India goods;" see Evaline Martin, ed., *Nicholas Owen, Journal of a Slave Dealer,* ("A View of Some Remarkable Axcedents in the Life of Nics. Owen on the Coast of Africa and America from the Year 1746 to the Year 1757") (London, 1930), pp. 23-24.

coast are not numerous. But certain it is that Negroes were unwilling captives, and would, if given the opportunity, break for freedom. "Their Way of bringing them [from the interior]," wrote one white trader, "is, tying them by the Neck with Leather-Thongs, at about a Yard distance from each other, 30 or 40 in a String, having generally a Bundle of Corn, or an Elephant's Tooth upon each of their Heads."[7] Another observer stated that in preparation for the journey slaves were "tied to poles in rows, four feet apart; a loose wicker bandage around the neck of each, connected him to the pole, and the arms being pinioned by a bandage affixed behind the elbows, they had sufficient room to feed, but not to lose [sic] themselves, or commit any violence. . . ."[8] William James, a Bristol trader who testified before a committee of the Privy Council in 1789, described the removal of slaves from the interior using water rather than land routes:

> Twenty or Thirty Canoes, sometimes more and sometimes less, come down at a Time. In each Canoe may be Twenty or Thirty Slaves. The Arms of some of them are tied behind their Backs with Twigs, Canes, Grass Rope, or other Ligaments of the Country; and if they happen to be stronger than common, they are pinioned above the Knee also. In this Situation they are thrown into the Bottom of the Canoe, where they lie in great Pain, and often almost covered with Water. On their landing, they are taken to the Traders Houses, where they are oiled, fed, and made up for Sale.[9]

While slaving captains conducted the exchange with the natives, purchasing the recently captured Negroes, their vessels lay along the coast for long periods of time. There the master and crew were subject not only to diseases and the hardships of life in hot, humid Africa, but to attacks by blacks who were not enslaved. It was not uncommon for the Negroes to grow dissatisfied with the trading and to employ force. Perhaps they disliked the demands made by

[7] Moore, *Travels into the Inland Parts of Africa*, p. 41.

[8] Joseph Hawkins, *A History of a Voyage to the Coast of Africa and Travels Into the Interior of that Country; Containing Particular Descriptions of the Climate and Inhabitants, and Interesting Particulars Concerning the Slave Trade* (Philadelphia, 1797), p .141.

[9] Elizabeth Donnan, ed., *Documents Illustrative of the History of the Slave Trade to America* (Washington, D.C., 1930-1935), II, 598. Hereafter cited as Donnan, *Documents*.

the whites, or believed that the goods offered in trade were of inferior quality. It may have been that some innocent slaving ship was merely being punished for the crimes committed by the vessel that had preceded it in that area.[10] A victim of one of these native attacks was said to have been 'cut-off.' Thus the *South Carolina Gazette* reported in 1759 that

> The Ship *Polly*, Capt. Hamilton, and the Ship *Mercury*, Capt. Ingledieu both of Bristol, were lately lost on the Coast of Africa. Capt. Hamilton was destined for this Port [Charleston] with a Cargo of Slaves. A Sloop commanded by a Brother of the above Capt. Ingledieu, slaving up the River Gambia, was attacked by a Number of the Natives, about the 27th of February last, and made a good Defence; but the Captain finding himself desperately wounded, and likely to be overcome, rather than fall into the Hands of such merciless Wretches, when about 80 Negroes had boarded his Vessel, discharged a Pistol into his Magazine, and blew her up; himself and every Soul on Board perished.
> The Skow *Perfect*, Capt. William Potter, of Liverpool, bound for this Port, is also cut off by the Negroes in the River Gambia and every Man on board murdered; and the vessel lost.[11]

A few years later a New York slaver was similarly attacked: "A Schooner belonging to this Port, Lewis Master, we hear, was lately cut off by the Negroes, on the Coast of Africa.'"[12]

Not all such efforts by the Africans were crowned with success; a Captain Moore was able to report an abortive Negro uprising in 1733:

> On the 17th of June last, as we were coming down the River Gambia, at Twelve o'Clock in the Night, the Natives fired at us, upon which began a very smart Engagement, which lasted till day light. . . .till by an unhappy contrary Wind, the River narrow, and the Vessel not answering her Helm, we fell along the Shore, the Natives rus'd on in great Numbers in order to board us, but were so received that they thought proper to Retreat. . . .[13]

[10] Nicholas Owen relates how he and some companions were once seized by natives: "We demand the reason of such usage and was answer'd that it was in revenge of a Dutch capt. who had forceably detain'd some of thier [sic] free people and used them ill, and aded [sic] they would take our ship and cargo in revenge but would spare our lives, as we ware [sic] English men . . . ," Martin, ed., *Nicholas Owen, Journal of a Slave Dealer*, pp. 37-38.

[11] *South Carolina Gazette*, July 7, 1759, in Donnan, *Documents*, IV, 374.

[12] *Boston News Letter*, Feb. 4, 1762, *ibid.*, III, 453.

[13] *Ibid.* III, 41.

The slave trade was filled with dangers, which were recognized by all concerned in the business. Two Rhode Island merchants informed the captain of their slaving ship that "You are not insensible that lying any considerable time on the Coast, is not only attended with a very heavy expense, But also great risk of the Slaves you may have on board."[14]

Once purchased and placed on board ship, the slaves, like the ships' crews, waited while the vessel was loaded to capacity, which often required months of trading. After two months on the African coast, Captain William English had nothing but dismal news to forward to his employers: "I have but five Slaves on board and God knows when I shall have five more for the Country Trade is so Dull and Slaves Scarce that it puts Every Man to attend that has the Command of a Vessel here at present."[15] In the meantime, slaves already purchased might scheme to win their freedom. A memorandum prepared while the *Othello* traded along the African coast in 1769 notes that on February 6 "A Man Jumpt Over Board Out the Long Boat and Was Drowned." Weeks later two women made a similar attempt; they were "Lost Over Board Out the Vessell in the Nit by Neglect of Sd. Mate Not Locking them up a Bad Wach kept."[16]

Mutinies occurred regularly on the coast of Africa, where slaves no doubt felt more sure of themselves. A representative of a Rhode Island merchant reported in 1776 that his slaves rose up "and a large Number of them jumpt overboard, out of which twenty Eight Men and two woman [sic] whare [sic] Drown'd."[17] In 1729 readers of the *Boston News Letter* were told that

> We have an account from Guinea, by Way of Antigua, that the *Clare* Galley, Capt. Murrell, having compleated her Number of Negroes had taken her Departure From the Coast of Guinea for South Carolina; but was not got 10 Leagues on her Way, before the Negroes rose and making themselves Mas-

[14] Roderick Terry, "Some Old Papers Relating to the Newport Slave Trade," Newport Historical Society, *Bulletin*, no. 62, p. 15.

[15] *Ibid.*, p. 19.

[16] Donnan, *Documents*, III 235.

[17] Captain Peleg Clarke to John Fletcher, Dec. 1, 1776, *ibid.*, III, 321.

> ters of the Gunpowder and Fire Arms, the Captain and Ships Crew took to their Long Boat, and got shore near Cape Coast Castle. The Negroes run the Ship on Shore within a few Leagues of the said Castle, and made their Escape.[18]

Rebellions near the coast—and the records are filled with them—were a prelude to the later mutinies associated with the middle passage. This leg of the slaving voyage, from Africa to the American market, was notable for the unsanitary conditions in which both seamen and slaves lived, with the result being much sickness and disease. The dangers of the middle passage are suggested by the high mortality among the slaves. Between 1680 and 1688 the English Royal African Company sent 249 vessels to Africa and shipped 60,783 slaves; almost a quarter of these, 14,387, lost their lives on the middle passage.[19] The mortality declined during the eighteenth century, although loss of life at sea remained a serious problem. The captain of the ship *Greyhound* reported his arrival at Barbados in 1723 after "seven Weeks Passage from Bony but very Dismall and Mortall for outt of 339 Slaves I brought in hear butt 214 for the Like Mortalaty I think Never was known. . . ."[20] In 1729 the *John and Betty* put in at Kingston, Jamaica, with only 150 of the 250 Negroes shipped surviving the treacherous middle passage.[21] Better results attended many of the later voyages. A vessel reaching Newport in 1760 was said to have "lost but 6 slaves out of 69 they brought out with them."[22] Near the close of the century a ship arrived at St. Thomas with seventy-eight of the original eighty slaves purchased.[23]

Hardships on the middle passage were not, however, confined to the slaves, though they undoubtedly suffered more than their temporary white masters. John Hawkins of New York eventually lost his sight after contracting a disease while on a slaving voyage to Guinea in 1794-95. "It was an inflammatory fever," he later wrote, "attended with symptoms of dysentery in some, but mostly with a

[18] *Boston News Letter*, Sept. 25, 1729, *ibid.*, IV, 274.

[19] George F. Dow, *Slave Ships and Slaving* (Salem, Mass., 1927), p. 90.

[20] Donnan, *Documents*, II, 299.

[21] *Ibid.*, II, 382.

[22] *Boston News Letter*, July 3, 1760, *ibid.*, III, 185.

[23] Captain Jeremiah Diman to Captain James De Wolf, Apr. 1, 1796, *ibid.*, III, 379.

violent inflammation and swelling of the eyes and eyelids, with a discharge of fetid rheum. The slaves were almost uniformly afflicted with this disorder in the eyes, even more than had been seized with the dysentery. Both diseases soon communicated to the crew, and by the 30th of June, we had scarcely men enough to work the ship.''[24] Captain Joseph Harrison, an English trader, had reported equally sorrowful news from Barbados in 1748: ''I have buried all my officers, except my first and third mates and gunner. Having lost since left Liverpool, 25 white people and 44 Negroes.''[25]

In addition to sickness and disease, tension on the middle passage increased because of the persistent threat of violence by the slaves. Every precaution was taken to avoid mutiny. Captain William Snelgrave took pride in the few Negro revolts on board his ships, following a carefully prepared plan to avert them. When first brought on board the slaves were told through an interpreter where they were going and what their ultimate fate was likely to be. This was by way of putting them at ease and squashing the rumors which often circulated about the horrible end awaiting them. Once on ship the ''sturdy Men'' were coupled together with irons, while the women and children were allowed freedom of movement; after putting out to sea the men slaves were also released. The men were kept separate from the women and children, however, and all were permitted in fair weather to come on deck and to remain there from seven in the morning until sundown. In any event, ''the places where they all lye are cleaned every day. . . .'' The slaves were fed twice each day and on each Monday morning were served with pipes and tobacco. Snelgrave concluded that ''if a Commander is himself well inclined, and has good Officers to execute his Orders, the Negroes on board may be easily governed; and many Difficulties (which unavoidably arise amongst such Numbers) got over with a little trouble.''[26]

Many slavers were not as fortunate as those commanded by Captain Snelgrave; for these the slave mutiny could be

[24] Hawkins, *A History of a Voyage to the Coast of Africa*, p. 177.

[25] Donnan, *Documents*, IV, 370.

[26] William Snelgrave, *A New Account of Guinea, and the Slave Trade . . .* (London, 1754), pp. 162-164.

a reality. Discussing the fate that had befallen a Rhode Island slaving captain, a Newport newspaper wrote that "soon after he left the Coast, the Number of his Men being reduced by Sickness, he was obliged to permit some of the Slaves to come upon Deck to assist the People: These Slaves contrived to release the others, and the whole rose upon the People, and endeavoured to get Possession of the Vessel; but was happily prevented by the Captain and his Men, who killed, wounded and forced overboard, Eighty of them, which obliged the rest to submit."[27]

Years before, the *Little George*, out of Rhode Island on a slaving voyage, had encountered Negro resistance on the middle passage. Leaving the "Coast of Guinea" on June 1, 1730, the *Little George* carried a cargo of ninety-six slaves, thirty-five of them men. On the sixth day at sea "the Men Slaves got off their Irons," overcame the watch and soon won control of the ship. They turned the vessel around and headed toward land, while the captain, George Scott, and other members of the crew took safety in a cabin, protecting themselves with firearms and powder. Scott and the others were lucky to escape with their lives; on the ninth day following the insurrection and after reaching the coast, the Negroes left the *Little George* and returned to the safety of land. This was a slave mutiny which testifies to the Negroes' determination to be free and also suggests the skills that must have been used by the slaves in guiding the ship back to land.[28]

Negro mutinies declined in number as the slaving ships left Africa behind, for it appears that insurrections occurred with greater frequency near the coast and became less likely as the vessels approached their destination. But even after reaching the market areas slaves would sometimes break for freedom. Captain Bird of the *Prince of Orange*, for example, discovered in 1737 that slaves would offer resistance at the very point of sale. Dropping anchor at St. Christopher, Captain Bird wrote that he

> thought all our Troubles of this Voyage was over; but on the contrary I might say that Dangers rest on the Borders of

[27] *Newport Mercury*, Nov. 18, 1765, Donnan, *Documents*, III, 213.
[28] *Boston News Letter*, May 6, 1731, *ibid.*, III, 118-121.

> Security. On the 14th of March we found a great deal of Discontent among the Slaves, particularly the Men, which continued till the 16th about Five o'Clock in the Evening, when to our great Amazement above an hundred Men Slaves jump'd over board, and it was with great Difficulty we sav'd so many as we did; out of the whole we lost 33 of as good Men Slaves as we had on board, who would not endeavour to save themselves, but resolv'd to die, and sunk directly down. Many more of them were taken up almost drown'd, some of them died since, but not the Owners Loss, they being sold before any Discovery was made of the Injury the Salt Water had done them.[29]

The 350 slaves on a Liverpool vessel waited until "in Sight of the Island Guardaloupe [sic]" before they moved to overpower the crew. They "kill'd the Master and Mate of the Ship and threw fifteen of the Men overboard" before they were quieted by a group of about 100 men who put out from land to assist the distressed crew.[30]

Once arriving in America, Negroes faced diminishing opportunities for resistance, at least as this resistance related to the slave trading venture; soon a buyer would appear and the venture would close with the sale of the Negroes. No less aggressive than while at sea, however, Negroes defied their enslavement even at the final point of sale. An illuminating example can be found in the *North-Carolina Gazette*. Late in February, 1775, it announced that the Schooner *Hope* had arrived from Africa with "a Parcel of likely healthy SLAVES." The cargo consisted of men, women and children who were being sold by Edward Batchelor and Company for "Cash, or Country Produce." Elsewhere in the same issue a reward of £110 was offered for five Negroes who absented themselves

> very early on Sunday Morning the 19th Instant, from the House of the Subscribers, Five newly imported Slaves, (Four Men and One Women;) Two of the Men, named Kauchee and Boohum, are Six Feet One or Two Inches high, and about 30 Years of Age; another named Fi, is near Five Feet Nine Inches high, and about 25 Years of Age, has sore Eyes; and the Fourth, named Sambo Pool, is a short well set Fellow, aged 18 years; the Woman, named Peg Manny? is of short Stature and Elderly. The Fellows were uniformly clad in coarse green Cloth Jackets, brown Cloth Trowsers, a Blanket, and red Cloth Cap; and the Wench had on an emboss'd Flan-

[29] *Boston Weekly News Letter*, Sept. 15, 1737, *ibid.*, II, 460.

[30] *Boston Post Boy*, June 25, 1750, *ibid.*, II, 485.

> nel Petticoat and brown Cloth Cloak. As they are incapable of uttering a Word of English, have been extremely well fed, and very little worked, it is surmised they have been inveigled away by some infamously principled Person, of a fairer Complexion, but darker Disposition than theirs.[31]

This notice was signed by Edward Batchelor and Co. Obviously, the five runaway Negroes were a part of the *Hope's* cargo, and that being so, they could have had little knowledge of the area in which they found themselves. Under these conditions a thrust for freedom suggests a consuming desire to avoid enslavement, a grim determination to win back their freedom. There was the possibility, of course, that the slaves had not acted on their own initiative, that they had, as the notice surmised, been the victims of a kidnaper. Edward Batchelor and Co. must have found it difficult to believe anything else, for to abscond in North Carolina would point to a daring which Negroes were not supposed to possess. Additional light is cast upon this episode by a notice which appeared several weeks later in the same newspaper, again over the name of Edward Batchelor and Co.:

> ELOPED from the Subscribers on Wednesday the 26th Inst. two newly imported Men Slaves KAUCHEE and BOOHUM, about 6 Feet high, and, perhaps, 30 Years of Age.—They absconded in Company with three other Slaves about two Months ago, and were taken up at Broad-Creek, about 10 miles off, and brought back by William Gatling of that Place, who has since purchased a Wench who was imported with them; from which it is supposed they are lurking about that Neighborhood.[32]

A forty shilling reward was offered for the recovery of the two slaves, who, if ever taken up and sold by the importer, probably proved 'troublesome property' indeed.

The enterprising and ingenious slave who wished to prolong if not prevent his sale, no doubt had most success in those colonies where the slave trade was small and conducted on a personal level. The trade was organized on a vast scale in the plantation colonies that lay south of the Chesapeake region. Purchased as part of a lot, the slave would be worked after sale as one member of a large field

[31] (New Bern) *North Carolina Gazette*, Feb. 24, 1775.

[32] *Ibid.*, May 5, 1775.

gang. Henry Laurens, a leading slave merchant of Charleston, South Carolina, was thinking in these terms when he described the Negro trade in his colony to a Barbadian firm in 1756: "'tis much more difficult to run off these small parcells than a Cargo of 3 or 400, when such a Number are for Sale it draws down the People from every part of the Province and one bids upon the other, very often they in their hurry take hold of very ordinary Slaves as prime, overlooking their imperfections which in a small parcell [n] ever escapes notice. . . ."[33]

Farther north, in the colonies not organized around the plantation unit and less dependent upon the Negro as a source of labor, the slave trade was less well developed; cargoes were both smaller and more infrequent. In these colonies, from Pennsylvania to New England, Negroes found useful techniques for interfering with the machinery of the slave trade. The slaves came in small parcels for sale to buyers who would use them at tasks involving close contact with whites. This provided the opportunity for, as well as the necessity of, close scrutiny of the slaves, and from the Negro it demanded a subservience and a willingness to cooperate that were considered less important in the plantation colonies. The experiences of the slave traders of Pennsylvania, where the slave traffic was always small relative to the trade in most other colonies, reveal the forms of resistance used by Negroes.

Isaac Norris and Jonathan Dickinson were early residents of Pennsylvania; both were members of the Society of Friends and both were slave traders. Both had also come to Pennsylvania after living before at Jamaica. Thus they had ready-made contacts with friends and Friends in the West Indies as they established themselves along the Delaware River and began their rise to social, political and economic prominence. It often happened that, in the course of their commercial exchanges, Norris and Dickinson received Negroes who were to be sold in the Pennsylvania market. These slaves were shipped in groups of two or three, and with others filled the limited demand that ex-

[33] Henry Laurens to Law, Satterthwaite, and Jones, Jan. 12, 1756, in Donnan, *Documents*, IV, 340-341.

isted in Pennsylvania.[34] Norris and Dickinson both learned that dealing in small groups of slaves and permitting the prospective purchaser first-hand and careful scrutiny of the human merchandise carried with it distinct disadvantages.

Norris, for example, informed a Jamaica correspondent in 1702 of the sale of a Negro man sent to Pennsylvania. His new master, Norris wrote, "thinks him a Sullen Lazy Fellow-wn. I sold him pretended he could not work. Sd. his hand was broke and he was good for Nothing I was for it to be Rough wth. him to gett him From My Fire side."[35] A Negro woman sold the next year was equally unruly, first disrupting Norris' household and then escaping after her sale to "one of Maryland." Norris said that she was "very averse to going & Just as the Boat was to put off gave us the Slip. I shall dispose of her as Soon as I can (for she has plaid [played] some Ill pranks in the family) . . . ."[36] Three other Negroes shipped to Pennsylvania in 1703, a woman named Quajo and two men, Sampson and Harry, were also bad-tempered and hard to sell. Harry especially was rebellious; explaining why he could not get a master for him, Norris remarked: "the fellow Grows so Subtill yt wn any body Comes to Look on him he Limps heartily tells ym he is old and Cannot Work. . . ."[37] Even more belligerent was "Negro Woman Jenny," shipped from Jamaica in 1709. Jenny was lame and in poor health, which, coupled with her attitude, made it almost impossible to find a buyer for her. Norris said it was doubtful he could dispose of her "at any tollerable price, none Yett Will bid any thing for her & ye Negro Says She will not do any thing if She's sold & is Very angry, wch Is also Discouraging to any buyer."[38] Months later Norris still had Negro

[34] A more detailed discussion of the slave trading activities of Isaac Norris and Jonathan Dickinson can be found in Darold D. Wax, "Quaker Merchants and the Slave Trade in Colonial Pennsylvania," *The Pennsylvania Magazine of History and Biography*, LXXXVI (April, 1962), 143-159.

[35] Isaac Norris to Richard Sleigh, Dec. 21, 1702, Isaac Norris Letter Book (1702-1704), The Historical Society of Pennsylvania (HSP).

[36] Norris to Rogers and Mills, June 17, 1703, *ibid.*

[37] Norris to Jonathan Dickinson, Nov. 12, 1703, *ibid.*

[38] Norris to Edith Lott, July 25, 1709, Isaac Norris Letter Book (1709-1716), HSP.

Jenny, for "nobody will bid anything for her, & if they would she knows the advantage of a good warm Kitchen so well, yt she says here she will Sett Down & go no Where Else. . . ."[39]

Like his close associate Isaac Norris, Jonathan Dickinson also encountered opposition from slaves sold in the Pennsylvania market. A correspondent was told in 1715 that "The Negroe Woman Capt Jonath Barnett Left hath Laine on my hands all winter could not gett any pson to offer anything for her She hath been Sickly & now I fare [fear] Shee will Dye Whn Ever I had any to Veiw [sic] her She would make Such faices & Complaints as would prevent their proceeding further. I would use my Endeavors to gitt Shut of her & to thy best Advantage."[40] The Negro Sarah, who arrived at Philadelphia on December 5, 1719, also offered resistance to her sale. Dickinson wrote that "Here is Some yt knoweth her to be a Valuable Negroe though may have exercised her Tounge [sic] to Large Occation;" this, he concluded, caused an uneasiness among buyers.[41]

The pattern of Negro resistance noted by Norris and Dickinson continued in Pennsylvania and was still apparent late in the colonial era. Bernard Gratz, a member of a Jewish trading firm located in Philadelphia, dispatched a slave to Reading, Pennsylvania in 1772, hopeful that the slave could be sold there. Far from proving successful, this move led George Nagel, in charge of the sale, to call for the slave's return to Philadelphia:

> I took your Negroe George some time ago home, thinking I might be the better able to Sell him: who after beening [sic] with me a night behaved himself in such an Insolent manner I immediately remanded back to the Gaol. About a Week since I put him up at Public Sale at Christopher Witman's Tavern, where there was a Number of Persons who inclined to Purchase him. But he protested publickly that he would not be sold, and if Any one should purchase him he wou'd be the Death of him and Words to the like purpose which deter'd the people from biding.

[39] Norris to Edith Lott, Nov. 8, 1709, *ibid.*

[40] Jonathan Dickinson to Enoch Stephenson, Apr. 21, 1715, Jonathan Dickinson Letter Book (1715-1721), Library Company of Philadelphia (LCP).

[41] Dickinson to Moses Cardoso, Dec. 7, 1719, *ibid.*

> I then sent him back again wth Directions to the Gouler [sic] to keep him at Hard Labour which he refuses to do & goes on in such An Insolent Manner that's impossible to get a Master for him here.

Nagel desired instructions as to how he should proceed, adding that Negro George was "now almost Naked and if not furnish'd soon with some Cloathes I fear he'll perish . . . He's now Chain'd & Hand Cuff'd on Account of his Threats."[42]

Clearly, Negro resistance to the early American slave trade was real and occurred with regularity. Beginning with their capture in the wilds of Africa and continuing through every stage of the slave trade, Negroes demonstrated their opposition. After their sale into slavery Negroes would engage in tactics designed to interfere with the smooth functioning of the institution of slavery. But these activities were not the first indication of resistance; refusal to cooperate, a reluctance willingly to be enslaved, in some instances choosing self-destruction in preference to being made a slave, these behavior patterns were a response to the white man's decision to enslave the Negro, and they first appeared as a reaction to the slave trade.

Darold D. Wax

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[42] George Nagel to Bernard Gratz, Mar. 2, 1772, Manuscript Collection, LCP.

SOUTHERN POLITICS AND ATTEMPTS TO REOPEN THE AFRICAN SLAVE TRADE*

In the tense decade before Civil War, a small group of Southerners sought to break the Union on the issue of reopening the African slave trade. The proposal evoked interest only among a few. In no state did the forces for reopening ever have a majority; it was not an issue to rally the South. Even at first, as the sectional battle lines were growing taut, this program encountered hostility in a South which recognized reopening as a threat to Southern solidarity. And when the issue threatened to split groups urging secession, the program had to be abandoned. It was clear that the economic needs of the Upper South could not be sacrified without breaking the South in two. Yet, hatred of the Union and the need for cheaper Negroes inspired some illegal importations in that decade before war. What legal reopening endangered, occasional slave-running avoided: ruining the profitable relationship between Upper and Lower South which welded the sections together.

I

In 1856, Governor James Adams of South Carolina attracted national attention to his demand that the state legislature repudiate the federal act suppressing the African slave trade as piracy.[1] The Governor's proposal had its

*Originally awarded a prize in Civil War history at Washington University, (Saint Louis) in 1958, this essay was later revised for publication. The author acknowledges his gratitude to Professor Ralph Morrow of Washington for his criticism of an earlier version, and to the Woodrow Wilson Foundation for a fellowship when the paper was being revised.

[1] *Report of the Special Committee of the House of Representatives of South Carolina on So Much of the Message of His Excellency Gov. Jas. H. Adams, As Relates to Slavery and the Slave Trade* (Columbia, 1857), Appendix, 46-48. Hereinafter cited as *Report*. On attempts to reopen the trade, see: W. J. Carnathan, "The Proposal to Reopen the African Slave Trade in the South, 1854-1860," *South Atlantic Quarterly*, XXV, No. 4 (Oct., 1926), 414-432; Harvey Wish, "The Revival of the African Slave Trade in The United States 1856-1860," *Mississippi Valley Historical Review*, XXVII, No. 4 (March, 1941), 569-588; Jack Williams, "The Southern Movement to Reopen the African Slave Trade, 1854-1860: A Factor in Secession," *Proceedings of the South Carolina Historical Association* (1960), 23-31. Carnathan suggested that the issue of reopening the trade might have been used to divide the union. He did not attempt to prove this, but Wish followed this thought and interpreted the movement as a design to find the "pivotal issue" upon which to

antecedents in the suggestion of the 1839 New Orleans *Courier*[2] and the cries of Leonidas W. Spratt and his cohorts. Spratt, an editor of the Charleston *Standard,* had advocated the revival of the trade in the editorial columns of his paper in 1853. The next year, 1854, local attempts to reopen the slave trade appeared in grand jury presentments from the Richland and Williamsburg areas, calling for the repeal of all federal laws suppressing the trade. However, when the presentments were sent to the state's legislative Committee on Colored Population, it returned a scathing criticism of the proposal, including the disquieting prophecy that reopening of the trade would saturate the markets of the South, leading to the unprofitability of the peculiar institution in the slave-rearing states and the probability of emancipation. The committee asserted that its action was "demanded by the sentiments of our people at the present time."[3] But the next year the South Carolina legislative committee, which received Governor Adams' message, declared in an elaborate report that, "The South at large does need a reopening of the African slave-trade."[4]

Some regarded slavery and the slave trade as indissoluble; they were integral parts of the same system. The defense of one appeared to require the defense of the other. Southerners "could not eulogize slavery and denounce the slave trade in the same breath, without stultifying them-

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pitch secession. He noted its failure but did not explore some of the reasons—state politics and economic needs. He did, however, devote considerable attention to Leonidas Spratt, whom he deemed the leader of the movement. Williams abridged Wish's argument, dropped out Spratt, and, with scanty evidence, extended Carathan's hint and Wish's thesis. Williams called the attempt to reopen the trade a "factor in secession." Aside from the record of abolitionist distress, and Southern responses to criticisms by abolitionists opposing the movement, there seems to be no support for his conclusion.

[2] Cited by Thomas Martin, *The Influence of Trade (in cotton and wheat) on Anglo-American Relations, 1829-1846* (Harvard: unpub. Ph.D. thesis, 1922), 128-129, from the New York *Daily Express* and copied by the *Emancipator,* July 4, 1839.

[3] "Report of Consul R. Bunch of Charleston," *British and Foreign State Papers, 1854-1855* (London, 1865), 1155-1157; William Boddie, *History of Williamsburg* (Columbia, 1923), 315-316.

[4] *Report,* 44-45. A few years after this essay was accepted, a useful article on South Carolina appeared; see Ronald Takaki, "The Movement to Reopen the African Slave Trade in South Carolina," *South Carolina Historical Magazine* (Jan., 1965), 38-54.

selves with the grossest and most suicidal inconsistency.''[5] And eulogize they did. James De Bow, the famous editor, asserted, ''If slavery benefits the slave then our position drives us to. . . . the reopening of the slave trade.''[6] Another Southerner pronounced: ''I do not hesitate for a moment in maintaining that the slave trade has been the source of incalculable blessing to mankind.''[7] Southerners found it even more difficult to accept the distinction between the domestic slave trade and the African trade. The apparent contradiction between permitting the former and prohibiting the latter seemed ludicrous.

Beneath this rhetoric and logic, however, political and economic reasons of great magnitude inspired and supported much of the agitation for the legal revival of the African slave trade. An increase in the demand for tropical produce created an acute awareness of the inadequacy of the Southern labor supply,[8] which had produced a tremendous increase in slave prices during a period of consistent labor productivity. While cotton prices were climbing from the low of 1840-45 to a level still beneath the average for the first forty years of the nineteenth century, the price of Negroes had about doubled from the average price of those four decades. South Carolina Senator James Hammand noted, ''The very negro who, as a prime laborer, would have brought $400 in 1828, would now, with thirty years upon him, sell for $800.''[9] While cotton prices had fallen slightly, and labor productivity remained relatively constant, slave values had doubled.

The exorbitant cost of slaves cut into the profits of cotton growers. Cheaper slaves, it was concluded, would mean greater profits. Some argued that an increase in the slave supply would advance the prosperity of the South:

[5] Little Rock *Arkansas Gazette and Democrat*, December 4, 1855, quoted by Kenneth Stampp, *The Peculiar Institution* (New York, 1956), 272.

[6] "Editorial Note," *De Bow's Review*, XXII (1857), 445.

[7] Matthes Estes, *A Defense of Slavery As It Exists In The United States of America* (Montgomery, 1846), 92, quoted in William Jenkins, *Pro-Slavery Thought in the Old South* (Chapel Hill, 1935), 90.

[8] For European responses, see W. J. Carnathan, "The Proposal to Reopen the African Slave Trade in the South," 414.

[9] Quoted by Frederic Bancroft, *Slave-Trading In The Old South* (Baltimore, 1931), 342.

millions of rolling acres of fertile land impatiently awaited only the arrival of a labor force. Cultivation of this rich, untilled soil would bestow bountiful fruits upon the South. The Arkansas *Gazette and Democrat*, lamenting the ample, uncultivated lands, suggested, "To remedy this evil African slaves should be imported into the country. Otherwise," warned the paper, "our resources may never be developed."[10]

Some Southerners thought that the inadequate labor supply was responsible for the wasteful system of agriculture which was exhausting the lands. "One of the most serious effects" of the shortage of labor was the destruction of the natural balance between land and labor through "a continuous effort to make the most of comparatively little labor by extending it over too much surface of soil."[11] It seemed clear that the public welfare demanded an increase in the labor supply of the Southern states.

The high cost of labor made cultivation of much of the older lands of the Upper South unprofitable, or at least substantially less profitable than production in the newer lands of the Lower South. The Montgomery *Journal* explained that slaves were "ranging far above their legitimate point," and that when cultivated land was available at $20 an acre and Negroes at "$1,00 per head," the raising of cotton would not pay.[12] While some of the Upper-South slave owners were moving southward with their Negroes, many planters were supplementing their meager cotton profits by selling some of their field hands and breeding Negroes for sale. The exodus of Negroes from the Upper South nurtured an anxiety that eventually these states would become slaveless. The cordon of free states would be drawn more tightly about the South when the states of the Upper South lost their interest in the peculiar institution and departed to join the Northern camp of slavery opposition.

Reopening of the slave trade was proposed as a panacea. The price of slaves would fall with the increased supply. Cotton production costs would tumble while cotton

[10] Little Rock *Arkansas Gazette and Democrat*, October 2, 1858, quoted by Stampp, *op. cit.*, 274.

[11] *De Bow's Review*, XXVII (1859), 202-3.

[12] *Hunt's Merchant's Magazine*, XXX (April, 1854), 500, quoted by Bancroft, *op. cit.*, 361.

prices would remain nearly constant. Profits would rise, and the Upper South would then desire to retain its slaves as cotton production became more profitable. The markets of the Lower South would be more effectively closed to the Upper South-bred Negroes; markets of the Lower South would offer the new African imports to the planters at lower prices than those at which the Upper South could profitably sell. Consequently, the states of the Upper South would keep their slaves. Since slave ownership was deemed a prerequisite for the support of the peculiar institution, it was considered that slavery would then be more secure after the African trade was reopened. And the base of ownership would be extended when poor whites and yeomen who were presently without direct economic interest in the institution would be able to purchase Negroes at the reduced prices.[13]

The paucity of slaves and their consequent inflated cost posed problems for Southern policies which sought to promote the geographical extension of slavery as a guarantee for its security. Some defenders of the peculiar institution tried to introduce it into all the territories. Yet, as Spratt's Charleston *Standard* noted: "We cannot expand our labor into territories without decreasing it in the States; what is gained upon the frontier is lost at the centres of the institution."[14] Security demanded expansion. But expansion led to a hollowness which threatened to honeycomb the slave-holding states and tumble them to the North. The dilemma confronted aspirations for Southern expansion, and revival of the African trade seemed to promise a solution.

Advocates of revival expected the trade to improve and

[13] The New Orleans *Delta* explained, "We would re-open the African slave trade that every white man might have a chance to make himself owner of one or more negroes." Quoted by *Liberator*, November 14, 1856; Charles Ramsdell, "The Natural Limits of Slavery Expansion," *Mississippi Valley Historical Review*, XVI, No. 2(Sept., 1929), 165. On the problem of profitability of Negro slavery, on which there is considerable literature, see: Alfred Conrad and John Meyer, "The Economics of Slavery in the Antebellum South," *Journal of Political Economy*, LXVI (April, 1958), 95-130; Harold Woodman, "The Profitability of Slavery: A Historical Perennial," *Journal of Southern History*, XXIX (Aug., 1963), 303-325; Eugene Genovese, *The Political Economy of Slavery: Studies in the Economy and Society of the Slave South* (New York, 1965).

[14] Quoted by *Liberator*, December 12, 1856.

perhaps to restore the political balance in the lower house of Congress. Under the impetus of unrestricted immigration, the congressional representation of the free states had scurried upward. The first tidal wave of the immigration ocean had carried almost one and a half millions to Northern shores in the decade, 1840-50. Already, the free state congressional majority had leaped to 50. The increase in Negroes would expand the Southern congressional representation at a 5 : 3 rate.

While economic arguments were advanced for reopening the African slave trade, in South Carolina political differences inspired the movement. It was led by a political group in the state which urged abandonment of the Democratic party and the formation of an exclusively Southern party. This extreme Southern rights faction sought to overthrow the more conservative Democratic party and lead the state in a bold program of asserting Southern rights leading toward secession. These radicals, led by Robert Barnwell Rhett, Lawrence Keitt and Maxsey Gregg, had been submerged by the conservative party. The conservative group, formed by James Orr in 1856 from a union of National Democrats and cooperationists of 1850, had gained control of state politics. While the radicals had lost faith in the Democratic party and the Union, Orr's group was confident that Southern interests could continue to be advanced through national party channels. To embarrass the Orr forces and to provide a program which would rally the South, radicals urged the reopening of the slave trade.[15]

II

Governor Adams' proposal was the initial blow in what

[15] For a discussion of the politics of this period, see: Laura White, "The National Democrats in South Carolina, 1852-1860," *South Atlantic Quarterly*, XXVIII, No. 4 (Oct., 1929), 370-389, and *Robert Barnwell Rhett: Father of Secession* (New York, 1931); Chauncey Boucher, "South Carolina and the South on the Eve of Secession, 1852-1860," *Washington University Studies: Humanistic Series*, VI, No. 2 (April, 1919), 78-144; Lillian Kibler, "Unionist Sentiment in South Carolina in 1860," *Journal of Southern History*, IV, No. 3 (Aug., 1938), 346-366, and *Benjamin F. Perry: South Carolina Unionist* (Durham, 1946), 278-339; David Wallace, *History of South Carolina* (New York, 1934), IV, 139 ff; and Harold Schultz, *Nationalism and Sectionalism in South Carolina 1852-1860* (Durham, 1950). Hereafter Schultz, *op. cit.*, will be cited as *Nationalism*.

was to prove a losing battle. While his recommendation was endorsed by the legislative committee of both houses, the plan was tabled in each chamber.[16] The program was violently attacked in the Southern press, on the floor of Congress, and in the minority committee report of J. Johnston Pettigrew. The neighboring North Carolina *Standard* protested the raising of the question and called it "impracticable," and warned that the state was "governed by extreme and violent views."[17] The Savannah *Republican* denounced the proposal to reopen the trade as a "symptom of the political distemper with which South Carolina has been afflicted for the past thirty years."[18]

Emerson Etheridge, a Tennessee Whig, accused the slave-trade party of planning secession. In the House of Representatives he proposed a resolution condemning "all suggestions and propositions of every kind . . . for a revival of the African slave trade, as shocking to the moral sentiment of the enlightened portion of mankind; . . . any action conniving at or legalizing that inhuman traffic, would justly subject the Government and citizens of the United States to the reproach and execration of all civilized and Christian people." This unveiled onslaught against Adams and the other proponents of the trade was passed, 152-57. James L. Orr, who was Speaker of the House, introduced another resolution, worded more temperately, disapproving of the trade as "inexpedient, unwise, and contrary to the settled policy of the United States." Subdued criticism, and the absence of an implication that the House was censuring the public act of a governor, swelled the vote to 183-8.[19]

[16] *Journal of the Senate of the State of South Carolina, 1857* (Columbia, 1857), 89.

[17] North Carolina *Standard,* Dec. 3, 1856, quoted by Clarence Norton, *The Democratic Party in Ante-Bellum North Carolina, 1835-1861* (Chapel Hill, 1930), 198. Earlier Benjamin Perry of South Carolina had explained that Spratt's aim in seeking to reopen the trade "is to agitate, excite, and unite the South on the question, and then point to a dissolution of the Union, as the only means of accomplishing their purpose . . . " Perry, Oct. 12, 1854, quoted by Kibler, *Benjamin F. Perry,* 282-3.

[18] Savannah *Republican,* December 6, 1856, quoted by Henry Simms, *A Decade of Sectional Controversy* (Chapel Hill, 1942), 195.

[19] *Cong. Globe,* 34 Cong., 3d sess., 123-128, Appendix, 365; *Journal of the House of Representatives,* 34 Cong., 3d sess., 109-112.

The limits of dissent were marked: Southern opponents of the reopening of the trade, unlike their counterparts of forty years earlier, had to praise the peculiar institution while attacking the proposed slave-trade revival. They were compelled to distinguish between the trade and the peculiar institution. Their arguments always alleged that reopening the trade would weaken and endanger slavery, the Southern economy, and Southern society. Thus, while comfortably and willingly staying within the pale of socially permissible disagreement, South Carolina legislator J. J. Pettigrew offered, in his minority committee report, a perceptive analysis of the consequences flowing from reopening the trade. While concerned primarily with the commerce's effect on his state, he refuted many of the arguments supporting reopening the trade.

Pettigrew assumed a more reasonable view of demand and supply curves than his opponents. He warned South Carolina that reopening of the trade would mean a disastrous drop in slave values and a consequent decline in the worth of personal property. The Gulf slave market would be saturated with recent African imports; South Carolina would be compelled to retain its Negroes. These Negroes could not be profitably sold in the Lower South where the stream of fresh Africans would drive prices downward. But neither could they profitably be employed in the Upper South. The higher productivity of the Lower-South's lands would still enable it to produce more cheaply; the general decrease in the cost of labor could not redress this advantage. For the Upper South to compete on even terms with the Lower South and its higher land productivity, some factor of production would have to be cheaper for the Upper South. Pettigrew concluded there would be no change in the comparative costs of the other forces of production. Consequently, the situation would remain the same as it was before the reopening of the trade: the Upper South would not be able to compete with the Lower South. However, reopening would prevent the Upper South from supplementing its meager income with the revenue from out-of-state slave sales. He predicted that the elements

which had previously contributed to the sale of Negroes would now force emancipation.

The South Carolina legislator also effectively undermined the argument that reopening of the trade, with the consequent slave-price decline, would secure the peculiar institution by enabling the nonslaveholder to share in the fruits of the system. Pettigrew maintained that the new supply of cheap African labor would compete with the nonslaveholder and make it impossible for him to amass sufficient capital to purchase slaves. Reopening might even create a class antagonism where none had previously existed, he suggested.[20]

III

The Southern Commercial Conventions from 1855 to 1859 were the main field of battle for the slave-trade forces. Originally designed to advance the economic development of the South, the conventions as early as 1852 provided the stage for sectional agitation hostile to the North and frequently favorable to secession. The majority of the delegates were editors, politicians, and planters. A handful of businessmen, bankers, and merchants attended the earlier conventions. But the ranks of these more conservative representatives thinned as the loosely organized conventions reflected a more radical tone and moved towards disunion.

Support for secession progressively increased at the conventions during the four-year period, 1855-1859. Resolutions demanding the removal of federal laws suppressing the African slave trade were introduced at each convention by L. W. Spratt or one of his cohorts. Their early motions were neglected or defeated, but in 1859 they finally met with victory at the Vicksburg Convention.[21]

[20] J. J. Pettigrew, "Protest Against The Renewal of The Slave Trade," *De Bow's Review*, XXV (1857), 170-184; *Report of the Minority as the Special Committee of Seven to Whom Was Referred So Much of His Late Excellency's Message No. 1, As Relates to Slavery and the Slave Trade* (Columbia, 1857).

[21] John Van Deusen, "Ante-Bellum Southern Commercial Conventions," *Trinity College Historical Society Papers*, XVI (1926), 91 ff.; Herbert Wender, *Southern Commercial Conventions, 1837-1859* (Baltimore, 1830); and William Davis, "Ante-Bellum Southern Commercial Conventions," *Publications of the Alabama Historical Society*, V (1904), 153 ff; Robert Russel, *Economic Aspects of Southern Sectionalism* (New York, 1960), 143; Harvey Wish, "The Revival of the African Slave Trade in the United States," 571-578.

At the 1855 New Orleans convention, Spratt's friend, J. W. P. McGimsey, submitted a motion calling upon Southern Congressmen "to introduce a bill to repeal all laws suppressing the slave trade." The recommendation never emerged from committee.[22] At the Savannah Convention the following year, William Goulden of Georgia reintroduced, with Spratt's second, the unsuccessful McGimsey proposal. The motion was tabled. A proposition requesting the appointment of a "committee to investigate all the facts connected with the present condition and future prospects of slavery in the United States. . . . and the propriety of reopening that trade . . . with . . . Africa," was overwhelmingly defeated, 61-24.[23]

The advocates of reopening the trade were more successful at the 1857 Knoxville Southern Commercial Convention. South Carolinian Edward Bryan's motion approving annulment of the eighth article of the treaty of Washington, a United States-British agreement to maintain ships off the African coast to suppress the Negro trade, was approved, 66-26, with only the delegates from Tennessee, North Carolina, and Maryland (the delegation split) dissenting. An attempt by William Sneed of Tennessee to attach an amendment, identical to Orr's successful House resolution of 1856, declaring it "inexpedient, unwise, and contrary to settled policy to repeal the laws prohibiting the African slave trade," was defeated 52-40. Georgia joined the reunited Maryland delegation, North Carolina, and Tennessee in opposition. Spratt's resolution providing for the appointment of a committee to study the question of reopening the African slave trade to report to the next Southern Convention, at Montgomery, was approved, 52-40.[24] Spratt was appointed committee chairman.

After Knoxville, the dwindling number of conservative representatives ceased attending the conventions. For the most part, only disunionists continued to go to the meet-

[22] "Commercial Convention at New Orleans," *De Bow's Review*, XX (1855), 628-9.

[23] The Southern Convention at Savannah," *ibid.*, XXII (1857), 222; "Southern Commercial Convention at Savannah," *ibid.*, 91-92.

[24] "Southern Convention at Knoxville, *ibid.*, XXIII (1857), 303, 317-19. Maryland had eight votes at the convention.

ings. They hoped that the Commercial Conventions would continue to serve their purposes by aiding Southerners to become acquainted, spreading radical sentiment, and erasing Southern differences.

But, instead, Southern differences were being enlarged by the slave trade issue. Soon after Knoxville, Robert Barnwell Rhett withdrew from the Spratt camp when the opposition to his disunion sentiments, and to reopening of the trade in particular, threatened his popularity. He had joined the movement with hopes that it would advance his political plans. Now, however, the Charleston *Mercury* announced that the proposed reopening of the trade threatened Southern solidarity and suggested that the slave trade's revival was an academic question as long as the Union remained.[25] The implication was clear: Southern solidarity was necessary for secession; secession was paramount. The proposed reopening of the trade menaced secession. The interests of secession must be served, so the disunion forces must court the South more gently.

At the Montgomery Southern Commercial Convention of 1858 further contention arose. Spratt submitted a seventeen-page committee report advancing the reopening of theAfrican slave trade. He concluded, refuting the Orr resolution, that "it is expedient and proper that the foreign slave-trade should be reopened, and that this Convention will lend its influence to any legitimate measure to that end." It was proposed that a committee of one from each state "be appointed to consider of the means, consistent with the duty and obligations of these States, for re-opening the foreign slave trade." The report, assuming the supply and demand curves favorable to its conclusions, offered the already familiar arguments for the legal revival of this commerce.[26]

A member of the committee, Roger Pryor of Virginia, editor of the Richmond *South,* attacked Spratt's recommendation and refuted his economic arguments. Pryor concluded that "neither history nor posterity would applaud us in staking the Union on the revival of the slave trade . . . it is an

[25] White, *Robert Barnwell Rhett,* 140-1.

[26] L. W. Spratt, "Report On The Slave Trade," *De Bow's Review,* XXIV (1858), 481-494.

unworthy issue . . . repugnant to the instincts of Southern chivalry . . . If you intend to dissolve the Union, say so in manly and explicit language . . . and we of Virginia will be prepared to back you, or to give a reason for abiding in the Union." Pryor offered other grounds for secession. He declared that disunion would be justified in the case of the election of a Black Republican, but not to "kidnap cannibals from Africa."[27]

Although "every form and shape of political malcontent was . . . present [at the Montgomery Convention], ready to assent in any project having for its end a dissolution of the Union, immediate, unconditional, and final,"[28] it was clear from the proceedings that secessionists could not agree on th slave-trade issue. While much of the convention was devoted to debating the question, the delegates remained hopelessly divided on both the expediency of reopening and the tactical question of whether agitation of the subject would injure or advance the cause of disunion.[29]

Ultimately the issue of reopening the slave trade was postponed with the convention's unanimous approval of a resolution to table Spratt's report and to circulate printed copies. Kimbro of Georgia suggested that "it is inexpedient for any state, or its citizens, to attempt to re-open the African slave-trade while that state is one of the United States of America." His resolution was tabled, 71-3, with only Louisiana dissenting.[30] By implication, secession was a prerequisite for revival of the trade.

At the May, 1859 Southern Commercial Convention at Vicksburg, the struggle for reopening of the trade continued, with the radicals dominating a meeting which the more conservative had refused to attend, or had left. The convention recommended the repeal of "all laws, State or Federal, prohibiting the African slave trade." This 40-19 victory was achieved with the absence of the delegations from Virginia, Maryland, and Kentucky. Representatives from these states had directed the earlier campaign in the

[27] "Late Convention At Montgomery," *ibid.*, 580-584, 605.
[28] Montgomery *Daily Confederation*, May 18, 1858.
[29] Charleston *Mercury*, May 15, 1858.
[30] "Late Convention At Montgomery," 605.

Southern Conventions against the proposed revival.[31] Former Mississippi Governor Henry Foote explained their absence: "the excitement at last grew so high that personal violence was menaced, and some dozen of the more conservative members . . . withdrew."[32] Tennessee, Florida, and a split South Carolina delegation cast the only negative votes.

The same spirit of agitation was reflected in some of the other resolutions approved by the fire-eating Vicksburg Convention. A committee was appointed "to report to the next Convention upon the legality and expedience of the African apprentice system." An earlier successful motion had recommended the abrogation of the U.S.-British treaty providing for marine patrols off the African coast. This resolution also demanded the removal of the American squadron engaged in suppressing the African slave traffic.[33] The convention's official newspaper, *True Southern,* wanted the convention to raise money "to be dispersed as premiums for the best sermons in favor of reopening the African Slave Trade."[34] James De Bow announced the formation of the African Labor Supply Association "to promote the supply of African labor."[35]

The convention had disregarded dominant Southern opinion. The protests of Foote, the convention committee's minority report, and nine Mississippians could not restrain the Vicksburg conference. Foote had sought to illuminate the Southern division on the issue, but his concern for Southern unity did not alter the decision of the trade's proponents.[36] The convention committee's minority report attacked the trade revival: "It is Utopian . . . when a majority of the Southern States themselves have

[31] "The Southern Convention At Vicksburg, "*De Bow's Review,* XXVII (1859), 99.

[32] Henry Foote, *The Bench and Bar of the South and Southwest* (St. Louis, 1876), 69-70.

[33] "The Late Southern Convention," *De Bow's Review,* XXVII (1859), 97-102. The convention was denounced by the New York *Herald,* May 18, 1859.

[34] *Twenty-Sixth Annual Report of The American Anti-Slavery Society, 1858-1859* (New York, 1860), 38.

[35] *De Bow's Review,* XXVII (1859), 99.

[36] Henry Foote, "A Speech of The Honorable H. S. Foote, of Mississippi," *ibid.,* 214-20.

re-enacted equally stringent laws on this subject."[37] The Mississippi dissenters declared that the convention resolution "does not embody the sentiment of the people of the eight states represented on this floor." The motion, they warned, was "agressive," unwise, and "hostile to the peace" and the Constitution.[38]

IV

While Spratt, DeBow, and other fire-eaters fanned the flames of secession with their attempts to reopen the African slave trade legally, the traffic was being carried on illegally. As a result of the agitation for the reopening of the trade, the abundance of willing customers, weak U.S. enforcement of the laws, and the unwillingness of Southern juries to convict captured slavers, illegal African cargoes were easily landed on the Southern coast of the United States.[39]

While the South allowed the illegal trade, there were few who supported reopening the trade legally, and neither the Upper nor the Lower South endorsed the radical action of the Vicksburg Convention. Even before Vicksburg, pronounced opposition to reopening appeared; no state had ever supported reviving the trade. And as the South moved toward the election of 1860, hostility hardened. The ranks of the supporters of the trade thinned and the South prepared to draw arms if a Black Republican was elected. Alabama Governor Albert Moore keynoted the development when he recommended that neither the reopening of the trade "nor any other question should be permitted to divide the South in the crisis of the next year."[40] Politics in the individual states mirrored this reaction.

With the conspicuous exception of a few like George

[37] "The Late Southern Convention," *ibid.*, 97.

[38] "Southern Convention at Vicksburg," 470-471.

[39] Henry Jackson, *The Wanderer Case* (Atlanta, 1900); Eugene Barker, "The African Slave Trade in Texas," *Texas Historical Quarterly*, VI, 152; John Spears, *The African Slave Trade* (New York, 1900); *Twenty-Sixth Annual Report of the American Anti-Salavery Society*, 39-61; *Twenty-Seventh Annual Report of the American Anti-slavery Society, 1859-1860* (New York, 1860), 18-30; and *Twenty-Eighth Annual Report of the American Anti-Slavery Society 1860-1861* (New York, 1861), 127-138.

[40] Charleston *Mercury*, August 14, 1859, cited by Schultz, "Movement to Revive the Foreign Slave Trade, 1853-1861" (Duke M.A., 1940), 57.

Fitzhugh, author of *Sociology For the South,* the people of the Upper South states opposed a revival of the trade. In 1858, the Richmond *Enquirer* menacingly suggested, "If a dissolution of the Union is to be followed by the revival of the slave trade, Virginia had better consider whether the South of a Northern Confederacy would not be far more preferable for her than the North of a Southern Confederacy."[41] The same year, Governor Madison Perry of Florida attacked agitation on the subject because the South was not united: "in all of the Southern States there are large masses decidedly opposed, from motives of policy, to the reopening of the Slave Trade."[42] In North Carolina in 1859, a resolution for reopening the trade failed in the lower house after provoking a barrage of broadsides from the local press.[43]

In South Carolina restoration of the trade was losing ground. Both the voters and the legislature were moving decisively against the program. Supporters of the trade were defeated for Senate seats. In 1857 former Governor James Hammond, who opposed reopening, was elected U.S. Senator over Rhett, who had supported revival. The following year, James Chestnut, a conservative states righter, was named to the Senate in a contest against Governor Adams, proponent of the trade. At the time the states rights group had a majority in the legislature, but they could not be "united under the slave trade banner, and the Slave Traders refused to budge." Consequently, the Orr group and some states righters chose Chestnut as a compromise candidate. That same year the state legislature tabled the resolution advocating revival of the trade, despite the fierce speech of Spratt.[44]

[41] Richmond *Enquirer,* May 24, 1858, cited by Wender, *op. cit.,* 226; Charles Ambler, *Sectionalism in Virginia From* 1776 *to* 1861 (Chicago, 1910), 310.

[42] Florida *Senate Journal,* 1858, 39-41, cited by Dorothy Dodd, "The Schooner Emperor," *Florida Historical Quarterly,* XIII, No. 3 (Jan., 1935), 120.

[43] The vote in the lower house was decisive, 62-24. *Journal of the House of Commons, 1859* (Raleigh, 1859), 512.

[44] Spratt, *Resolution on the Slave Trade* (Columbia, 1858); *Journal of the House of Representatives of the State of South Carolina, 1858* (Columbia, 1858), 39, 129, 204; *Journal of the Senate . . . of South Carolina, 1858,* 109-110, 120; Schultz, *Nationalism,* 157-165; White, "The National Democrats in South Carolina" 378-381; Boucher, *op. cit.,* 92-94; and Kibler, "Unionist Sentiment in South Carolina in 1860," 346-348.

In Georgia there was little support for reopening the trade at any time. A proposal to remove the state constitutional prohibition against the foreign slave trade had failed in the fall of 1858.[45] Almost a year later, Alexander Stephens may have appeared to aid supporters of the trade's revival in a public speech: "We have not the population, and might as well abandon the race with our brethren of the North in the colonization of the Territories. It is useless to wage war about abstract rights, or to quarrel and to cause each other of unsoundness, unless we get more Africans."[46] However, in a letter to a friend, Stephens explained, "On the policy of opening the trade I said nothing, and meant to say nothing. The people must consider that for themselves." In the absence of the referendum, repeated state legislative acts—supported by editorial opinion and tacitly confirmed by the voters at the polls—must be regarded as decisive. As Stephens concluded in spring, 1860: "The people here at present I believe are as much opposed to it [the slave trade] as they are in the North; and I believe the Northern people could be induced to open it sooner than the Southern people."[47]

The hardest blows to the movement were struck in those Lower-South states where it was supposed the trade was desired. In Arkansas, Louisiana, Mississippi, Alabama, and Texas, where the rising prices of field hands imposed serious financial restrictions upon expansion and evoked complaints, attempts to reopen the trade failed. In Louisiana and Texas the movement threatened to split the Democratic party, and in Louisiana it drew the attacks of the slave's larger planters. In Alabama the movement received little support. An Arkansas paper supporting the revival of the trade in October, 1858 noted its minority position, "We are fully aware

[45] National *Intelligencer*, Nov. 27, 1858, cited by Savanah *Republican*, Nov. 22, 1858; Charleston *Courier*, Nov. 27, 1858, cited by Savannah *Republican* Nov. 23, 1858; cited by Carnathan, *op. cit.*, 424. The resolution failed in the Senate by two votes. Schultz, "Movement to Revive the Foreign Slave Trade," 47.

[46] New York *Weekly Tribune*, July 16, 1859; Rudolph Von Abele, *Alexander H. Stephens* (New York, 1946), 175-6.

[47] Alexander Stephens to J. Henley Smith, July 29, 1859, and Aug. 14, 1860, "The Correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb," Ulrich Phillips (ed.), *Annual Report of the American Historical Association, 1911* (Washington, 1913), 446-7, 467.

that our position is not a popular one." Two months later the Arkansas legislature crushed a resolution favoring the repeal of federal laws prohibiting the slave trade.[48]

In spring, 1858, a bill, supported by the New Orleans *Delta*, for the importation of 2,500 African "apprentices," passed the Louisiana lower house but failed in the Senate despite the presentation of an elaborate report approving this semantic masquerade.[49] The large planters managed to kill the bill in the upper house by a two-vote mapority. The New Orleans *Bulletin* had warned that the wealthy planters of the interior threatened to leave the state if the trade were reopened.[50] The next year the opposition, then stronger, tabled a similar bill.[51]

In Mississippi both parties opposed the movement.[52] The Whigs attacked the slave traders as radicals seeking to smash the Union. A permanent organization was established in opposition.[53] The Democratic party feared that agitation from the troublesome program would disrupt the party and the South at a time when solidarity was essential. One Democratic paper explained that the issue would divide "the South when she has need to stand as one man in view of the darkening future which lies before her." The issue would "strengthen the Abolitionists and endanger the Presidential election." Democrats believed that the South could "find better grounds" on which to pitch the battle for disunion.[54]

[48] Little Rock (Ark.) *Gazette and Democrat*, cited by Stampp, *op. cit.*, 276.

[49] "The Importation of African Laborers," *De Bow's Review*, XXIV (1857), 421-4; Edward Delony, "The South Demands More Negro Labor," *ibid.*, 491-506.

[50] The Fredericksburg *News*, February 23, March 5, 16, 1858 noted the *Bulletin's* warning, cited by Wish, *op. cit.*, 579; New Orleans *Picayune*, August 8, 1858 and New Orleans *Delta*, March 26, August 2, 5, and November 21, 1857, cited by Carnathan, *op. cit.*, 426.

[51] The African apprentice bill was tabled in the lower house, 37-14. New Orleans *Bulletin*, March 13, 1859, quoted by *Weekly Advocate* and cited by James Greer, "The Grapple for Power in the Democratic Party in Louisiana," *Louisiana Historical Quarterly*, XIII, No. 3 (July, 1930), 446.

[52] Dunbar Rowland, *History of Mississippi: The Heart of the South* (Chicago, 1925), 764-5; Broadus Mitchell, "Henry Hughes," *Dictionary of American Biography*, IX, 350.

[53] Percy Rainwater, "Economic Benefits of Secession: Opinions in Mississippi in the 1850's," *Journal of Southern History*, I, No. 4 (May, 1935), 466.

[54] Speech of Jefferson Davis on the Naval Appropriation bill, June 18, 1860, in Dunbar Roland (ed.), *Jefferson Davis, Constitutionalist, His Papers, Letters,*

Party leaders decided to avoid the question and concentrated on issues which would break the national party at Charleston. Some supporters of the slave trade still agitated the question, and introduced a bill in the lower house in January, 1860, to repeal the state law against the importation of Africans. The bill was decisively defeated.[55]

In Alabama support for the movement had dwindled from an original handful. In 1856 four of the eight votes against Orr's proposal disapproving of reopening the trade had been cast by Alabama Congressmen. But the next year a resolution urging reopening had failed in the state legislature.[56] In 1858, a paper supporting William Yancey for an Alabama seat in the U.S. Senate feared that his advocacy of the slave trade would ruin his chances.[57] The Mobile *Advertiser* labeled the agitation to revive the trade "a ridiculous hobby inspired by political stock jobbers."[58] By 1859, opposition had compelled earlier supporters to leave the movement. Eli Shorter, who had opposed Orr's resolution, reversed himself in a public letter, stating, "It was generally supposed throughout the South that Texas desired the re-opening of the trade, but the recent election of Houston . . . over Runnels settles that question. . . . Hence some of our politicians would do well to pause and reflect . . . before asking the Charleston Convention or Congress to do what no Southern state has demanded."[59]

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and Speeches (Jackson, Miss., 1923), IV, 520 ff. *Prairie News,* June 9, 1859 quotes the *Clarion* and is quoted by Rainwater, *op. cit.,* 468; *Gallatin Mirror* quoted by the *Mississippian,* May 3, 6, 1859, and cited by James Ranck, *Albert Gallatin Brown: Radical Southern Nationalist* (New York, 1937), 171-2.

[55] *Twenty-Seventh Annual Report of the American Anti-Slavery Society,* 18-19; Natchez *Courier,* Feb. 3, 1860, cited by Ranck, *op. cit.,* 190.

[56] *Journal of the House of Representatives* (Ala.), *1857-1858,* 180; Carnathan, *op. cit.,* 424, concludes that: "this state does not seem to have taken the proposal very seriously." In the earlier fifties there had been a strong move to prohibit slave trading in Alabama. *Messages of His Excellency, Henry W. Collier, to the General Assembly,* 1851, 35, cited by Sellers, *op. cit.,* 190.

[57] Dallas *Gazette,* July 16, 1858, cited by Lewy Dorman, *Party Politics in Alabama From 1850 Through 1860* (Wetumpka, Alabama: Alabama State Department of Archives and History, Historical and Patriotic Series, XIII, 1935), 146.

[58] Mobile *Advertiser,* May 14, 1859, quoted by Simms, *op. cit.,* 195.

[59] Eli Shorter to A. W. Starke, August 29, 1859, in the Charleston *Mercury* Sept. 24, 1859, cited by Wish, *op. cit.,* 587.

He was referring to the Texas gubernatorial campaign of 1859, in which the candidate of the "regular" Democrats was defeated because it was supposed that he supported reopening of the trade. A resolution had been advanced at the state Democratic Convention in 1859 to make reopening of the slave trade a campaign issue. The proposition was squelched, 221-81. Charges, however, lingered during the campaign that the "regular" Democrats approved reopening. An opposition ticket, led by gubernatorial candidate Sam Houston, was elected. Houston's triumph was popularly regarded as a rebuke to the advocates of the trade. Their plan was repudiated, and they were silenced.[60]

Thus, by the election of 1860 it had become apparent that the revival of the trade was an unsatisfactory issue for waging a campaign for secession. It had not even been useful in inflaming sectional antagonisms, except among some abolitionists who sought was issue.[61]

The path to secession was taken by a South almost totally united in its opposition to reopening. The Alabama Convention of 1861 overwhelmingly adopted a resolution declaring that the people of that state opposed reopening of the trade. In the debates, it was clear that a major reason was the desire to win the border states to secession.[62] In Mississippi, the Convention approved a resolution, 66-13, declaring that "it is not the purpose or policy of the people of the State . . . to re-open the African slave trade."[63] Georgia's Convention unanimously approved a law prohibiting the foreign slave trade, and commissioners to border states

[60] W. J. Carnathan, "The Attempt to Reopen the African Slave Trade in Texas, 1857-1858," *Proceedings of the Southwestern Political and Social Science Association* (1925), 134-144; Earl Fornell, "Agitation in Texas for Reopening the Slave Trade," *Southwestern Historical Quarterly*, LX, No. 2 (Oct. 1956), 249-259.

[61] J. H. Hammond to W. Simms, July 30, 1859, in the Hammond Papers, quoted by John Van Deusen, *Economic Bases of Disunion in South Carolina*, 321; *Cong. Globe*, 36 Cong., 1 sess., 3107-3110. Jack Williams, "The Southern Movement to Reopen the African Slave Trade," 23-31.

[62] William Smith (ed.), *The History and Debates of the Convention of the People of Alabama, Begun and held in the City of Montgomery, on the seventh Day of January, 1861* . . . (Montgomery, 1861), 251-264.

[63] *Journal of the State Convention and Ordinances and Resolutions* [of Miss.] *Adopted in January, 1861* (Jackson: Barksdale, 1861), 78.

promised that the state would not seek to open this trade.[64] And while Louisiana refused to instruct her delegates to Montgomery "to use all their influence to inhibit by Constitutional provision any re-opening of the African slave trade," the legislature explained that it did "not mean to express any opinion on the subject. . . ."[65]

Thus, there were few notes[66] of dissent to disrupt the harmony of Southern opinion expressed in the Confederate Constitution: "The importation of negroes of the African race, from any foreign country other than the slaveholding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same."[67]

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[64] *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia, held in Milledgeville and Savannah in 1861, together with the ordinances adopted* (Milledgeville: Boughton, Nisbet, & Barnes, 1861), 53, 54, 60, 369. Cf. New York *Times*, Jan. 4, 1861.

[65] *Official Journal of the Proceedings of the Convention of the State of Louisiana* (New Orleans, 1861), 28-30; *Journal of the Acts and Proceedings of a General Convention of the State of Virginia Assembled at Richmond . . . , 1861* (Richmond, 1861), 67; Richmond *Enquirer*, Feb. 26, 1861. The Staunton *Vindicator*, Richmond *Whig*, Staunton *Spectator*, and Charlottesville *Review* erroneously warned that the desire to open the trade was the main reason for secession by the Lower South. Henry Shanks, *The Secession Movement in Virginia* (Richmond, 1934), 164.

[66] Spratt, "Slave Trade in the Southern Congress," *Southern Literary Messenger*, XXXII, No. 6 (June, 1862), 409-420. In the August issue of the *Southern Literary Messenger*, XXXIII, No. 2 (August, 1861), another Southerner responded to Spratt with "The African Slave Trade," 105-113. The Bellefonte *Era* (Ala.) called the prohibition, "a more fatal stab at Slavery than was ever inflicted upon it by its outside enemies. . . . Slavery must be made a public institution open and free to all, or it must come to a speedy end." Quoted in the Charleston *Mercury*, March 9, 1861, and cited by Schultz, "Movement to Revive the Foreign Slave Trade," 74.

[67] *Confederate States of America Statutes at Large*, 1861, 15, Constitution, Article 1, section 9, #1. At the Confederate Constitutional Congress the issue was not reopening but how to close the trade. "Convention to Frame Permanent Constitution of the Confederate States of America," *Journal of the Congress of the Confederate States of America*, I, U.S. Senate Doc. No. 234, 58 Cong., 2 sess., 36. "Journal of the Congress for the Permanent Constitution of the Confederate States," *ibid.*, 868-869; Charleston *Mercury*, Merch 29, April 2, April 4, April 16, cited by Schultz, "Movement to Revive the Foreign Slave Trade," 74.

AMERICAN SLAVERY AND THE FRENCH LIBERALS AN INTERPRETATION OF THE ROLE OF SLAVERY IN FRENCH POLITICS DURING THE SECOND EMPIRE

> I believe that the Emperor, the members of his Cabinet, and the higher functionaries of his Government generally, are quite indifferent on the subject of slavery, and that the opposition to us professedly based on it, which is manifested by the so-called liberal journals and those in the interest of the Orleans family, is dictated more by a sentiment of opposition to the Emperor than by any decided feeling of hostility to the institution.[1]
>
> John Slidell to R.M.T. Hunter, Paris, February 11, 1862.

In this essay I would like to answer the following two questions: Why slavery had become so important an issue in France by the time of the Second Empire, and how, as a result, the liberal opposition tried to monopolize that interest in order to thwart Napoleon III's ambitions during the Civil War in the United States.[2]

To answer the first question, it is necessary to go back at least to the publication of *Uncle Tom's Cabin* in 1852. Probably no other book on slavery, or for that matter, on any other humanitarian subject, ever received such a reception from the European public. In France, it was translated eleven times during the first year.[3] Versions of it appeared in magazines. It was serialized in the press; it appeared in sketches; plays based on it were produced. Every critic admired Mrs. Harriet Beecher-Stowe, save Flaubert who refused to accept the moralizing content of

[1] *A Compilation of the Messages and Papers of the Confederacy including the Diplomatic Correspondence, 1861-1865,* published by permission of Congress by James D. Richardson, Nashville, Tenn., 1909, II, 175, hereafter cited as Richardson.

[2] The views and citations offered here are illustrative only. A detailed study of the French Liberal Opposition and the American Civil War will soon appear.

[3] Emile Lucas, *La Littérature anti-esclavagiste au dix-neuvième siècle,* Paris, 1930, p. 67. This same source gives further information, on page 93, on adaptations of the novel. The most recent one that I found was a comic strip running in the *Libération* in the winter of 1958-59.

the lachrymonious epic.[4] Within a year, sales had passed the million mark in Europe.[5] Emile Ollivier years later wrote, "a sublime book, out of the heart of a woman. . . sparked a moral revolution in the souls of men where sermons and speeches had failed. From that day forward, slavery was killed, and the unfortunate Negro was saved."[6] And if, by any chance the furthest corner of France had not been made aware of the novel's presence, an *Almanach-Album de l'Oncle Tom pour* 1854 was published to fill that need

Why had this novel touched the hearts of Frenchmen? The answer is simple. Ever since the eighteenth century, the French had listened to and read appeals for the emancipation of the slave and the larger question of the rights of men. They had become accustomed to this revolutionary rhetoric and to the fervor generated by it in any debate. Furthermore, the French themselves had just abolished slavery in their colonies in 1848. The English had acted in 1833. After the ascension of Napoleon III, the impossibility of discussing a large range of topics, lest the government censure both the publication and the writer, might also have contributed to the rennaissance of enthusiasm for the slavery question.

But still, all of these congruent events might not have acted upon the French reading public had it not been for the previous efforts of a number of novelists and investigators who had described the plight of the Negro slave in America. Only one example need be cited: Gustave de Beaumont's *Marie ou l'esclavage aux Etats-Unis.* As Tocqueville's traveling companion, he had sought to give a fictional account of the "peculiar institution." The book ran through three editions. Other less famous writers added to the fund of knowledge on the slavery issue.[7]

[4] Jean Seznec, "Notes on Flaubert and the United States," *American Society Legion of Honor Magazine,* New York, XVII, No. 2 (Summer, 1947), p. 395.

[5] H. B. Stowe, *La Perle de l'Ille d'or,* Paris, 1862, p. x. The translator, Cucheval-Clarigny, gave this estimate in the accompanying introduction.

[6] Emile Ollivier, *L'Empire libéral,* Paris, 1902, II, 262.

[7] See Dwight Lowell Dummond, *A Bibliography of Antislavery in Americ*a, Ann Arbor, Michigan, 1962, p. 65. Also S. Copans, "French Opinion of American Democracy, 1852-1860," Ph.D . Dissertation, Brown University, Ch. IV.

No novel, by itself, can sway the public for long. Emotions build and then subside. *Uncle Tom's Cabin* captivated the imagination of all classes and was read by all people.[8] But a better future for the Negro slave in America could not be wrought by Mrs. Stowe's nonpolitical appeals to emotions and religion. A far more convincing work was offered to the French with the publication of William Ellery Channing's *De l'esclavage* in 1855.

Both in the long introduction and in the preface, Edouard Laboulaye signaled the importance of Channing's contribution. As professor of Comparative Law at the Collège de France, as an historian, essayist, publicist, and novelist, Edouard-René Lefebvre-Laboulaye was considered one of the most famous liberals of the period.[9] After the death of Alexis de Tocqueville in 1859, Laboulaye was recognized as the foremost French authority on the United States. When Laboulaye turned his attention to the sectional conflict in the United States, he cared in particular for its effects on American democracy, which had been so instrumental in furthering the progress of European liberalism. On the question of emancipation, he differed with Channing. Laboulaye was not in favor of the immediate liberation of the slave, because he believed that it would lead straight into an abyss. Only gradual emancipation would bring about the eventual freedom of the slave.[10]

Channing's book convinced those who required more intellectual foundations for their opinions. Others, such as Xavier Marmier, member of the *Académie française,* presented more personal, though equally incisive, indictments.[11] Frenchmen had been offered a picture of the cruelty of slavery which they had then adopted as their own; testimonies of whippings and dog hunts had succeeded in many circles in

[8] C. Daudeville *Considérations sur l'Oncle Tom de Mme Beecher Stowe,* Paris, 21 Juillet 1853, p .1.

[9] See, on the writer, Henri Wallon, "Notice sur la vie et les travaux de M. Edouard-René Lefebvre—Laboulaye" *Revue historique du droit français et étranger,* XII, series 3 (1888), 1-30.

[10] *Oeuvres de W. E. Channing—de l'esclavage,* précédée d'une préface et d'une étude sur l'esclavage aux Etats-Unis par M. Edouard Laboulaye, professeur de législation comparée au Collège de France, member de *Instituté,* Paris 1855, p. xi.

[11] Xavier Marmier, *Lettres sur l'Amérique,* Paris, 1854, I, 440-449.

transforming the image of the elegant Southern gentleman into that of a basically brutal man living by a double standard of morality.[12] In his home, he was a European-trained individual, with refined tastes in clothing, furniture, and literature; on the plantation, he was a savage individual flaying his slaves at the least provocation. The caricature, as might be expected, was at times grossly unjust. Both Laboulaye and A. Malespine knew it. (Malespine was probably the most authoritative journalist writing on the United States.) But to the French public, seeking a moral principle and demanding one that would solve the problem of slavery, abolitionism became the only acceptable solution.

However, if the French were still keenly cognizant of American slavery in 1860, the credit for it must go to John Brown, in his attempt to start a slave insurrection, and to the highly emotional appeals by Victor Hugo in his favor.

Exiled and forbidden to publish in France, Victor Hugo benefited by this clandestine publicity; it assured him the position of number one republican martyr. When he heard about John Brown's attempt, his active moral being shook with sympathy; "If we can save this man, this hero, this martyr, what joy! And further, to save this man means to save this republic."[13] A letter Victor Hugo wrote in favor of Brown appeared in newspapers on the continent, and as far away as Haiti.[14] He also drew a sketch of Brown on the gallows.[15] After the hanging, Victor Hugo no longer felt the need to continue his impassioned pleas to save the Union, but, as if he had heard the young recruits going off to war singing "John Brown's Body," he epitomized the event:

[12] Typical of this description was the popular novel by Charles Jobey, *L'Amour d'un nègre*, 2nd ed., Paris, 1860. See also Elisée Reclus articles on the black codes in the Southern states printed in the *Revue des Deux Mondes*. Harriet Martineau, in the 1830's had called attention to this troubling paradox.

[13] Victor Hugo, *Actes et Paroles*, 1852-1870, Paris, 1938, III, 516.

[14] For the letter, *Ibid.*, II, 517. For an American appreciation, see *Victor Hugo on John Brown with Mrs. Stephens' Reply*, New York, 1860; and *Letter* from *General E. F. Henningson in reply to the letter of Victor Hugo on the Harper's Ferry Invasion*, New York, 1860. See also *Quelques lignes de reconnaissance à M. Victor Hugo pour son article de "Un mot sur John Brown" par trois Haitiens*, Paris, 1859.

[15] The drawing could be purchased separately or together with *Victor Hugo* (Paris, 1861). On the seizure of the sketch, see Hugo, *op. cit.*, *II*, 518.

"Brown's gallows stands between North and South. Solidarity is no longer possible. Two cannot be responsible for such a crime."[16]

The French were prepared to acknowledge the moral superiority of the North. Now, as the conflict in the United States approached, this same superiority was considered the source of Northern successes in all its endeavors, financial and cultural.

When the Civil War broke out, the immediate reaction in France was unmistakable. The French rallied to the side of the North as the natural inheritor of the revolutionary government of George Washington. Whatever alternatives existed were not to be entertained in France for at least the first six months of the war. But the formation of the Confederate States of America, the beginnings of pro-Southern and Southern agitation in France, the ambiguous position of the Lincoln government on the issue of emancipation, together with the economic hardship caused by the conflict in French industrial centers (especially in cotton textiles), forced a reevaluation of the issues. The Emperor himself believed that the occasion afforded by the Civil War was an opportune one, and that some sort of diplomatic act facilitating Southern efforts might (without antagonizing the North) aid his projects in Mexico.[17]

The Declaration of Neutrality issued on June 10,[18] and the subsequent diplomatic feelers that Napoleon III sent to Baron de Mercier, the French Minister at Washington, reveal the Emperor's anxiety as well as his desire to participate in some way that would help bring the conflict to an end. He is reported to have told his nephew in private in 1863: "If the North is victorious, I shall be happy; if the South is victorious, I shall be delighted."[19] In public, apart from his agreement to allow the floating of the Southern bond issue in 1863,

[16] *Ibid.*

[17] On this problem see, for instance, Edouard comte de Keratry, *LElévation et la chute de l'Empereur Maximilien,* Intervention française au Mexique, 1861-1867, précédée d'une préface de Prévost-Paradol. Paris, 1867. Also Henri Mercier de Lacombe *Le Mexique et les Etats-Unis,* Paris, 1863.

[18] France, Affaires étrangères, *Documents diplomatiques,* serie A, vol. I, 1861, pp. 97-98. Also *Moniteur,* June 14, 1861.

[19] John Bigelow, *Retrospections of an Active Life,* New York, 1909, I, 599.

the Emperor never acknowledged his predilection for the South.

One of the strongest reasons why the Emperor refused to side openly with the Confederacy was the elaborate campaign undertaken by the liberal opposition on behalf of the Union.

The Liberal Opposition was a parliamentary group composed of five deputies elected in 1857-58 to the *Corps Legislatif*.[20] But these deputies were so overwhelmingly in the minority that their voices carried little weight. When the government spoke of the liberal opposition, it was understood to mean a much more formidable force, consisting of numerous newspapers, magazines, and almanacs controlled by the Orleanists, the republicans, and the Progressives (former Saint-Simonians, for the most part). Though the Legitimists were not included in this category, their criticisms of some of the policies of the Second Empire helped to marshal opionion against the Emperor, and, in that way their attacks benefitted the aims of the opposition. As far as the United States was concerned, the Legitimists were, for the most part, in favor of the South—with the notable exception of their leader, the famous lawyer, Antoine Berryer.[21]

Perhaps the most concrete means of judging the power of the liberals is to give a few figures on the newspaper circulation of the opposition. In the provinces, the opposition controlled one out of every four newspapers.[22] In Paris, the figures were much more eloquent. There, the Progressive and the Orleanist press was vastly superior in strength to the semi-official newspapers. Louis Havin's *Siècle* (considered by the government to be in the category of the Progressives) by itself, with its daily circulation of 52,000, and its Sunday total of 60,000, had more readers than the combined circulation of the pro-government press.[23]

[20] Theodore Zeldin, *Emile Olliver and the Liberal Empire of Napoleon III*, Oxford, England, 1963, p. 52.

[21] John Bigelow, *Some Recollections of the late Antoine Berryer*, New York, 1869.

[22] *Etat Statistique Comparatif de la Presse Départementale*, Sept. 1862, AN F 18 294.

[23] *Tirage des journaux politiques publiés à Paris*, August 1862, AN F 18 294. The combined circulation of the semi-official press was 49,000; that of the liberal opposition newspapers, not counting the *Siècle*, was 81,098.

The November 1860 decrees, relaxing the government regulation of newspapers, served to give an impetus to the opposition press, which had been semi-dormant since the *coup d'état*.[24] It was also apparent from the speeches of the Emperor that the Second Empire was heading for a liberal future. This self-willed development was to prove the undoing of the regime. In the Emperor's estimation, the imposition of the repressive laws had been a necessary reaffirmation of authority after the *coup*. But it had never been his intention to establish himself as a ruler who would stifle French political life forever. Once the revolutionary danger passed, and with the empire safe, despite the forebodings of the Empress, Napoleon III sought to make himself over into a liberal. The temptation was great. Queen Victoria seemed to have done so magnificently. Bismarck's own king was on his way to becoming a liberal, of sorts. Consequently, the Emperor decided to open the doors himself; when he did, he found it impossible to close them. Voices among his own coterie, such as that of the opportunist duc de Morny, expressed the need to change the appearance, if not the substance, of the Empire.

Thus the secessionist movement in the United States, menacing the future of the republican experiment, came at the very time the opposition saw the possibility of enlarging its role. The opposition was going to use the United States as an example to be emulated, in order to press for reforms in France, despite the embarrassing position of maintaining the superiority of republican institutions when these were being discarded by one section of the United States.

This had always been one of the functions of the "model republic."[25] Now, in the throes of a war that was to be called the Second American Revolution,[26] these republican

[24] See, Louis Eugène Hatin, *Bibliographie historique et critique de la presse périodique française . . .* , Paris, 1866, also Henri Avenel, *Histoire de la presse française depuis* 1789 *jusqu' à nos jours, Paris,* 1900, pp. 451-452.

[25] There is an inexhaustible number of books on this subject, but in order to limit them, I would merely like to call attention to two studies that encompass the period from the origins of the United States to 1852. Durand Echeverria, *Mirage in the West, A History of the French Image of American Society to* 1815, Princeton, New Jersey, 1957, and René Rémond, *Les Etats-Unis devant l'opinion française* (1815-1852), Paris, 1962.

[26] See, for example, the following works: Auguste Laugel, *Les Etats-Unis pendant la guerre (1861-1865)*, Paris, 1866 (the bulk of this study first appeared

institutions were to demonstrate their workability and their tenacity in the face of unbelievable odds. If such institutions —if freedom itself—could be preserved in the United States during the conflict, and if the president could rule without permanently destroying the republic, then the Emperor of the French had reasons to heed the voice of the opposition in its praise of the American system and its demands that conditions similar to those in America be fostered in France.

We may now answer the second question, posed earlier, why did the slavery issue come into such prominence in the propaganda campaign of the liberal opposition?

From the first indication that the South wanted separation, the Parisian newspapers launched into a great debate on the causes of the war, a debate that was to dominate the press from December 1860 to January 1861, and that was to be echoed, by greater authorities in longer works, throughout that year and a half of the war.

The debate (which, to my knowledge, has not been studied previously) offered the French reading public a capsule course in American constitutional history.[27] Every facet of the Constitution dealing with slavery was discussed, as was every incident that had emerged from the North-South rivalry before the war and that now seemed to have led to the debacle. In their search for an explanation of the momentous event that had erupted in the United States, French journalists and publicists seized upon the issue of slavery as the only one worth the attention of the public. Morality being so much more appealing as a public issue than politics, abolitionism, instead of preservation of the Union, was made by the liberals the most important goal of the Lincoln government. In these articles discussing the causes of the war, by

in installments in the *Revue des Deux Mondes*); Félix comte de Sayve, *Etude sur la Révolution des Etats-Unis*, Paris, 1863; and the numerous articles written by Elisée Reclus in the *Revue des Deux Mondes*, as well as those by Augustin Cochin in the *Correspondant*.

[27] Only a sampling of the articles can be offered here. See, for instance, Granier de Cassagnac's editorial that touched off the debate in *Pays*, December 21, 1860. He was answered by Louis Jourdan in *Siècle*, on December 25, 1860. Henri Martin took a middle ground in *Constitutionnel*, December 26, 1860. Malespine, in *Opinion nationale*, January 1, 1861, criticized Cassagnac's argument that slaves were private property and that the federal government was powerless to act. A good summary of the debate was given in *Presse*, on January 8, 1861.

far the major cause found was slavery and the desire of the South to maintain and extend it. That this sentiment was widespread can be seen by the fact that only one newspaper, *Pays,* and only its editor, Granier de Cassagnac, supported the Southern point of view.

As a result of this debate, and of the books that were published in the first year and a half of the struggle—books by such eminent liberals as Agénon de Gasparin,[28] Edouard Laboulaye,[29] and Augustin Cochin[30]—the feelings of the French people were molded into a liberal cast. The liberals seemed to hold exclusive possession of this moral issue, and they understood it. In all of their articles, they condemned as a friend of slavery anyone who sided with the South.

In few other cases is it as evident as in this particular one how inextricably interwoven were morality and politics. The liberal opposition, benefiting from years of antislavery agitation in France, was to gain a decisive advantage in the debate by coining the expressions and the clichés that dominated the arguments of both the friends and the foes of the Union.

One of these expressions indelibly associated slavery with the South; during the course of the Civil War, articles in the liberal press rarely alluded to the South without adding the word "esclavagiste". This became, I believe, one of the most efficacious psychological weapons in the liberal arsenal. Its acceptance was so widespread that J. P. Benjamin, Secretary of State of the Confederacy, mentioned it in a letter to Henry Hotze, a Confederate agent in England. Benjamin referred to the *Revue des Deux Mondes* as "perhaps the most powerful and influential of the French periodicals," and added that "there is scarcely an article signed . . . which does not contain some disparaging allusion to the South. Abolitionist sentiments are quietly assumed as philosophical axioms too self-evident to require comment or elaboration."[31] The pervasiveness of such sentiments can be directly credited to the publicity

[28] Agénor de Gasparin, *Un grand peuple qui se relève,* Paris, 1861.

[29] Edouard Laboulaye, *Les Etats-Unis et la France,* Paris, 1862.

[30] Augustin Cochin, *L'abolition de l'esclavage,* Paris, 1861.

[31] MS John Bigelow—"1861-1864. Confederate States of America—Correspondence relating to activity of Confederate agents in Europe including letters of J. M. Mason, J. Slidell, J. P. Benjamin, W. Preston." Transcript. About 22 pieces.

given to the concept of the "esclavagiste" South in the liberal oposition's propaganda campaign.

The second expression, which was to become as telling was not invented by the liberals; it was the title of Alexander H. Stephens' famous "cornerstone" speech. The Vice-President of the Confederacy had once made a plea against secession, but it had been forgotten.[32] At the beginning of the conflict, the liberals, disturbed by the apparent absence of idealism on the Northern side, were suddenly given a most unexpected but splendid statement on the role of slavery in the South. Stephens maintained that slavery was the avowed cornerstone of the Southern edifice. No Frenchman could ever have stated the issue so cleanly. In fact, nobody in France would have had the audacity to enunciate the basic principle of the Southern constitution with such clarity. The speech was to become a memorable reminder to the liberals that, whatever the friends of the South might proffer as causes for the rebellion, the only truly credible explanation had been given by the Vice-President himself. Anytime the liberals sought to underline the cause of the war, or curb an attempt by the semi-official press to substitute nationalism for the question of slavery, the weight of the *pierre angulaire* was raised.[33] Thus, the well-known republican journalist, André Lavertujon, with Pascalian verve, denounced "those who wish to see the South succeed," as persons "ready to recognize the substance of Vice-President Stephens' speech."[34] It became so much a part of the currency that one pro-Southern editor claimed that slavery and Stephens' speech had been mistaken for the true issues involved in the war.[35] The Emperor, much to the probable annoyance of John Slidell, the Southern commissioner in France, advised the Confederacy in 1863 to ac-

[32] Ferdinand Lecomte, *Guerre de la Sécession*, Paris, 1866, I, 259, was the only writer who mentioned Stephens' November 14, 1860 speech.

[33] See, for example, Georges Fisch, *Les Etats-Unis en 1861*, Paris, 1861, pp. 208-209; James Mortimer, *Sécession aux Etats-Unis*, Paris, 1861, p. 25. For the importance of the speech in Stephens' own career, see Rudolph von Abele, *Alexander H. Stephens*, New York 1946, pp. 197-198.

[34] *Gironde*, January 2, 1863.

[35] "The country at large and the Parisian press in particular have had the falsest and most unjust idea of what was occurring on the other side of the Atlantic. The wisest men saw only a question of slavery in the war between North and South. . ." Pays, January 10, 1863.

cept Lincoln's equitable plan for compensated emancipation, adding that "as long as the South persists in keeping slavery as the basis of its constitution, it will prevent European powers from recognizing it."[36]

Neither the effort to depict the character of Southern civilization in a favorable light, nor the parallel effort to denigrate the democratic-Protestant-industrial North, could dislodge the slavery issue from its pre-eminent position in the minds of the French.

The liberal terminology proved to be resilient. Even when the North failed, in the first two years of the conflict, to live up to the expectations of the liberal opposition and legislate emancipation, the liberals berated both the friends of the South and the government's efforts to mediate, by throwing up the issue of slavery in their faces. Whether the North wanted it or not, it held the mission of humanity in its hands, and, consequently, to act against the North was impossible.[37] Against such a Hegelian determinism, few were the opponents who could argue for long with the opposition! Edwin de Leon, Confederate secret agent sent to France to organize the propaganda campaign for the South, concluded his survey of French public opinion in June 1863 with this statement: "The Slavery Question is more of a stumbling block to our recognition in France than in England, for it is really and truly a matter of sentiment with the French people. . . ."[38] No one grasped this better than the liberal opposition journalists.

The *Trent* affair is the first important illustration of the way in which this terminology was applied. On November 29, 1861, John Slidell and John M. Mason, along with their secretaries, who were aboard the British mail packet, *Trent,* were seized by John Wilkes, captain of the *San Jacinto.* Every newspaper in Paris announced the event. The Southern commissioners—one sent to the Court of St. James, and

[36] *Industriel Alsacien*, February 8, 1863. The paper quoted a Bullier Agency despatch found in an "anonymous" English newspaper.

[37] See, for instance, *Correspondence du Duc D'Aumale et de Cuvillier-Fleury*, Paris, 1912, III, 175-176. Also the editorial by Auguste Nefftzer in *Revue Germanique*, November-December 1861, p. 492.

[38] Bigelow, *Retrospections*, II, 21. See also Ernest Merson, *La guerre d'Amérique et la médiation*, Paris, 1862, pp. 15-16.

the other to the Tuileries—were taken to Boston and put in Warren prison. The British were in a furor.[39] The French Minister of Foreign Affairs, Louis Thouvenel, made known his government's objections to this violation of neutral rights. After much soul-searching among the members of the Washington Cabinet, the two Southerners were turned over to Lord Lyons, the British Ambassador, On December 27.[40]

To all appearances, the *Trent* affair had nothing to do with the French and, apart from the note that Thouvenel had sent to Seward on December 3,[41] the French were not implicated in this incident. But for six weeks, the French press wrote about little else. Evidently, the affair had come at a time when the French were ready to involve themselves in the conflict in the United States. Or so at least it seemed, both to William L. Dayton, the American Minister at Paris, and to John Bigelow, the Consul-General.

As a result of the enthusiasm temporarily generated for the South, pro-Southerners thought that the moment was ripe for an offer of mediation by the Emperor. Economic hardships had already begun to be noted in the reports of the *procureurs généraux*,[42] and though the dominant feeling continued to be, in the words of the Attorney General from Nancy, "Mediation in order to preserve peace, and neutrality in case of war,"[43] the Emperor believed that he might propose an agreement that would settle the North-South conflict. As in all future instances of the French government's attempts to modify its position on the Civil War, the pro-government press first launched a trial balloon in the form of a series of vitriolic attacks against the North.

Thus *Constitutionnel, Patrie,* and *Pays,* as well as the

[39] Thomas L. Harris, *The Trent Affair,* Indianapolis and Kansas City, 1896, p. 140. For a detailed review of the events, see pp. 92-111.

[40] Lynn M. Case, "La France et l'affaire du Trent," Revue Historique, CCXXVI (July-September 1961), 74.

[41] Thouvenel-Mercier, December 3, 1861, *Documents diplomatiques,* 1861, pp. 99-101.

[42] See, for example, the following reports, all noting the effects of the war on business activities in France: Bordeaux, January 17, 1862, BB 30 374; Colmar, January 9, 1862, BB 30 376; Rouen, January 9, 1862, BB 30 382; Lyons, December 27, 1861, BB 30 379; also, Claude Fohlen, *Une Affaire de famille au xix siècle, Mequillet-Noblot,* Paris, 1955, p. 78.

[43] Procureur Général Impérial, Nancy, January 5, 1862, BB 30 381.

Revue contemporaine, declared that the unruly American democracy, which had been unable to satisfy Southern demands for freedom, was now committed to an obstinacy dictated by the mob.[44] Whatever merits the United States had once possessed, it had lost them all. The North could no longer be considered the example of a republic and the inspiration for European liberals. The war had invalidated the republic. The South had to be recognized.[45]

Bigelow stated, "there was a time within the three days which immediately followed the news of the seizure when one would have counted on his fingers about all the people in Europe not Americans who still retained any hope or expectation of the perpetuity of the Union."[46] The Consul-General was known to exaggerate. But there is no doubt that Wilkes' act had opened the way for the first massive efforts by the friends of the South to gain European recognition for the Confederacy.

The liberals were well aware of the problem. The campaign they organized against this move to recognize the South was but a sample of those that were to follow. Adolphe Guéroult, editor of *Opinion nationale,*[47] Prévost-Paradol in *Journal des Débats,*[48] and Eugène Forcade in the *Revue des Deux Mondes,*[49] all presented similar arguments. First, any effort on the part of France to come to the aid of the South would benefit England, and consequently would be detrimental to French interests (the recently signed Treaty of commerce with England had aroused violent anti-British feelings in France.)[50] And second, any effort to faciliate South-

[44] See the typical tirades in *Patrie,* December 17, 19, and 21, 1861.

[45] Alcide Grandguillot, *La Reconnaissance du Sud,* Paris, 1862; Sidney Renouf, *L'Union Américaine et l'Europe,* Paris, 1861, pp. 13-15.

[46] Bigelow, *Retrospections,* I, 385.

[47] *Opinion nationale,* December 7 and 19, 1861.

[48] *Journal des Débats,* December 7, 1861.

[49] *Revue des Deux Mondes,* December 15, 1861. The whole chronicle was devoted to the *Trent* affair.

[50] See, for instance, the typical comment by the Attorney General from Dijon who observed on the part of the population, "a desire to see England engage herself in any enterprise that would diminish its political importance and that would punish its arrogant and high-handed manners, which have earned for it so many enemies elsewhere." January 8, 1862, BB 30 377.

ern ambitions inevitably meant accepting the stigma of slavery.

Only the second argument need occupy our attention. Archbishop John Hughes, Democrat and influential prelate, had been sent to Europe by Lincoln in order to sway Catholic opinion there.[51] He was in Paris at the time of the *Trent* affair, and he argued that the only reason the United States had gone to war had been for the preservation of the Union. The content of his private conversations was given notoriety when *Monde,*[52] a Catholic newspaper, published a letter he had written to the *Metropolitan Record* in New York. The letter, appearing in three installments (and later, to complicate matters, disclaimed by Hughes himself[53]) presented the Democratic party's opinion. Hughes unwittingly played into the hands of the liberal opposition journalists by vehemently denying, to the "insane abolitionists," any role in the formulation of Union policies. His rebuttal of a popular belief in France merely helped to call attention to the presence of a powerful, albeit small, group of men who were sworn to the cause of emancipation.

The letter served the aims of the opposition. Agénor de Gasparin's *Lettre sur le différend entre les Etats-Unis et l'Angleterre* (Paris, 1861) was a less ambiguous testimony of the faith of a famous French liberal in the United States. He believed that the United States would solve its problems without maiming its democratic institutions. In contrast to the "fierce diatribes . . . appalling, if they were not ridiculous and disgusting at the same time"[54] of the pro-government publications, Gasparin's voice gained in authority because of its composure and the logic of the argument presented. Gasparin ended his pamphlet (which appeared in an abbreviated form in *Journal des Débats,* on December 11 and 13, 1861) by reminding the French of Stephens' "cornerstone" speech. It

[51] Henry Merritt Wriston, *Executive Agents in American Foreign Relations,* Baltimore, 1929, pp. 778-779. Thurlow Weed and General Winfield Scott were in the same party.

[52] December 17, 18, and 21, 1861.

[53] *Journal des Débats,* February 3, 1862; *Monde,* February 4, 1862. Hughes stressed that he was in agreement with the published text.

[54] Karl Marx and Frederick Engels, *The Civil War in the United States,* New York, 1937, p. 59.

seemed appropriate to set the moral issue straight, placing the blame where it had to be placed. Orleanist, republican, and Progressive newspapers echoed the same sentiments. No wonder that when the *Trent* affair was concluded, the liberals greeted the news as a victory for democracy, that is, a victory for the liberals over the supporters of the Second Empire—those who wished to see France embroil herself in the Civil War.

The loss of prestige by the semi-official press, as a result of the resolution of the *Trent* affair, could be seen by its unprecedented anger a few days later at the news of the blocking of Charleston harbor with stones by Northern ships. At this time, like hurt dogs, the pro-government press howled at the "barbarous" act which, according to its special logic, signified the end of the American republic.[55] All such vociferous condemnations came to nothing. As if to call attention to the quandary of both the pro-Southerners and the more excited Lord Palmerston, *Charivari* pictured Albion sitting on a pile of cannon balls and crying, "It has really been a waste of time to make such preparations! Now, what am I going to do with all that?"[56]

The Emperor limited his advice to well-meaning phrases. The concordance of opinion between the provinces and the much more vocal demands of the Parisian liberals had made him aware that, at least for the moment, it was wiser to abstain from acting in any way that might prove helpful to the Confederacy.

The mood of the French was to change. In June, there was an unofficial offer of mediation.[57] It was followed on July 23 by a formal demand on the part of John Slidell asking Thouvenel to recognize Southern independence. The Southern commissioner was rebuffed, as was Mason in England.[58] These attempts, in fact, were merely preliminaries in the light of the concerted effort by the Emperor in October to offer a six-month truce as a means of settling the conflict.

[55] *Pays*, January 15, 1862; also *Constitutionnel*, January 20, 1862.

[56] January 25, 1862. See also *Courrier du Dimanche*, January 19, 1862.

[57] Thouvenel-Mercier, June 12, 1862, *Documents diplomatiques*, 1862, p. 130.

[58] Slidell-Benjamin, No. 10, July 25, 1862, Richardson, II, 270. On Mason's activities, see Ephraim D. Adams, *Great Britain and the American Civil War*, New York, 1924, II, 25-28.

But neither the Russians nor the English were willing to commit themselves to such a change in policy, and the French note fell stillborn from the pen of Drouyn de Lhuys, the new French Minister of Foreign Affairs.[59]

The Congressional victory of the Democratic party in the November 1862 elections, and the continued failure of the Union armies to defeat the Confederates, as well as an increase in the number of conservative politicians and newspapers in the Union which "advocated a policy that pointed toward a peaceful separation,"[60] prompted the Emperor, in January 1863, to offer anew his good offices.[61] Lincoln, in his State of the Union message, did not even discuss this latest French move. It turned out to be the last in favor of the South.

A few months later, Chasseloup-Laubat, Minister of the Navy, withdrew from the Confederates permission to build ships in France.[62] There had been a moment, when Captain J. D. Bulloch, secret agent of the South, had had a chance for success; he had contracted with Louis Arman, deputy from the Seine and France's largest shipbuilder, to construct corsairs for the South. But as matters were, the activity was much more considerable in England than in France.[63]

The *Trent* affair offered a perfect example of the way in which the liberals operated. There were to be a good number of other situations that would provide the liberals with ammunition to combat the pro-Southern campaign of the semi-official press acting on behalf of the South. But the slavery issue was to be flaunted on every possible occasion. Particularly after the passage of legislation that affected the slaves

[59] *Ibid.*, II, 65-66; MS William L. Dayton, letter from Bayard Taylor, October 29, 1862, St. Petersburg. Also J. M. Callahan, "Russo-American Relations during the Civil War," *West Virginia University Studies in American History*, series 1, *Diplomatic History*, No. 1, pp. 6-7.

[60] Frederic Bancroft, *The Life of William H. Seward*, New York, 1909, II, 311.

[61] Lhuys-Mercier, January 9, 1863, *Documents diplomatiques*, 1863, p. 111. The note was presented to Seward on February 9 and three days later Dayton was notified of the refusal of the United States government.

[62] *Opinion nationale*, October 30, 1863. Guéroult as a deputy was highly instrumental in stopping Arman's activities.

[63] For the Southern ship-building activity in France, see John Bigelow, *France and the Confederate Navy*, New York, 1888; and for similar activity in England, see United States Diplomatic Correspondence, *Papers Relating to Foreign Affairs*, December 2, 1872. Part II.

in territories, and then after the Emancipation Proclamation, the liberals were to find themselves bolstered by the new awareness in the North of the need to avoid further vacillation on the matter of abolition. Prévost-Paradol hailed Lincoln's proposed amendment as an act that would abolish slavery forever.[64]

I believe that the liberals chose the slavery issue because they knew it offered one way to concentrate the feelings of the French against the Imperial government. It also polarized French opinion for the greater battle against the domestic policies of the Second Empire.

In Bigelow's words, "The great body of the French people never sympathized with the rebels and would never have forgiven any administration which directly or indirectly countenanced the spread or perpetuation of slavery."[65] The most evident reason for this reaction in France can be found in the way the liberal opposition exploited an issue which held sway over the people.

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[64] *Journal des Débats*, December 19, 1864.
[65] Bigelow, *Recollections of the late Antoine Berryer*, p. 7.

The Antislavery Vanguard: New Essays on the Abolitionists. Edited by Martin Duberman. (Princeton: Princeton University Press, 1965. Pp. 508. Price $10.00)

A reading of the essays in *The Antislavery Vanguard* helps to explain why idealistic students pour from northern campuses into the civil rights fray. These pieces by their youthful professors at Yale, Princeton, Boston, Wisconsin, and other universities, reflect an enthusiasm for reform that must inspire students. This book is virtually a manifesto of the young, liberal historians against the older scholarship that maligned the abolitionist. In defending antislavery reformers, these essayists, both explicitly and by inference, defend modern civil rights crusaders, with whom they obviously sympathize and sometimes join, notably Staughton Lynd and Howard Zinn.

Martin Duberman of Princeton University, author of the hit play, *In White America,* and of a Bancroft Prize biography of Charles Francis Adams, scores again as editor of this revisionist work. The seventeen essays, including one by Duberman, are original, except for the items by James McPherson (a modified chapter from his first book) and by Zinn (part of a forthcoming book). Though grouped in six parts, the essays, inevitably, have considerable overlapping and repetition. Nonetheless, they furnish many rewarding insights into abolitionism. The editor sought to include representatives of the established anti-abolitionist viewpoint, but found no one willing to uphold it; the seventeen presentations unanimously reject the prevailing concept.

Fawn Brodie sums up part of the stereotype when she points out that the abolitionist "is assailed for his fanaticism and 'pertinacious meddling'; he is condemned for taking Puritanism into politics and is accused of being a major cause of the Civil War." (p. 53) The rest of the canard is summed up by Duberman: "The stereotype. . .sees the abolitionist as a disturbed fanatic. . .motivated. . .by an unconscious drive to gratify certain needs of his own. . . .to discharge either individual anxieties or those frustrations which came from membership in a 'displaced elite,'. . . ." (pp. 406-7) By contrast, as Howard Temperley shows, the British abolitionists, once slavery ended, "stood in their own day high in the popular esteem, and their reputations have remained high ever since. Few British heroes are regarded with more veneration. . .or are believed to have acted from higher motives." (p. 344) What a damning indictment of Americans, that we condemn the critics of slavery more than its perpetrators while the British reverence their abolitionists. Since

historians are responsible for this caricature of American abolitionists, one can well sympathize with Zinn's remark that "It is tempting to join the psychological game and try to understand what it is about the lives of academic scholars which keeps them at arm's length from the moral fervor of one of history's most magnificent crusades." (p. 417)

The essayists are revisionists but not polemicists; they are cooly analytical, brilliant in their reasoning, and unusually fair. Zinn, at points, especially his strictures on Lincoln and politicians in general, verges on the ardent advocate, but this is the exception. The essays evidence extensive research in manuscripts and other primary sources, as well as full awareness of trends in historiography. They are heavily documented (footnotes take half of some pages), and there is a fifty-five page index. The reader must reserve judgment initially because two of the first four essays—the lead-off pieces in Parts I and II—are the most turgid, pedantic, and irrelevant of the lot. Once past these essays of David Davis and Donald Mathews, the going is better. Psychologist Silvan Tomkins bravely brings the tools of his profession into analysis of the commitment motivating Garrison, Birney, Phillips, and Weld, but the terminology (strong affects, resonate to abolitionism) does not clarify matters or add much to the insight of historians and biographers. Among the most revealing essays are those by Brodie (rebutting such abolitionist detractors as Donald, Craven, Coulter, and Strode), by Leon Litwack (showing the resentment of Negro abolitionists toward the paternalism of white antislavery leaders), by Lynd (documenting the key role of slavery and sectionalism in the work of the Founding Fathers from the 1770's to 1790's) and by Robin Winks (on Canadian Negroes and abolitionists).

The Antislavery Vanguard is an essential reference for teachers and a useful reading for advanced and graduate students. It is the most authoratative statement on the antislavery movement until some author attempts a full scale reassessment sounder than Dumond's; one of these young essayists might write that book.

Contemplating the contributors, a question arises, where are the young Negro historians? Lacking biographical sketches of the essayists, birthdates of only 10 of the 17 came readily to hand. Of these 10, 6 are in their 30's, 2 in their 40's, the psychologist in his 50's, and the lone Negro, Benjamin Quarles (with an essay on Douglass), is 61. If the rest fit this pattern, this book presents young Caucasian historians, mostly in their 30's and a few in their 40's, but could come up with only one Negro participant, a man in his 60's. Considering that the most preeminent of the colored historians,

Franklin, Quarles, Logan, Wesley, are 50, 61, 69, 74, one wonders who will rise to take their place. Where are the young Negro scholars in their 20s, 30's, and 40's? This book points up their shortage in the ranks of productive historians. Who will take the lead in helping to develop them?

Edgar A. Toppin

Virginia State College, Petersburg

Carpetbagger's Crusade: The Life of Albion Winegar Tourgée. By Otto H. Olsen. (Baltimore: The Johns Hopkins Press, 1965. Pp. 381 $7.95)

The history that interests most readers is the story of the actions of men who influenced their times. Given the proper subject, a biographer, therefore, may recount the history of a country or a region through the activities of a single man. In such manner, Otto H. Olsen, in *Carpetbagger's Crusade,* retells the failure of Reconstructtion through the life of Albion W. Tourgée, a neglected hero in the saga of the struggle to provide equal rights for the Negro American.

Born in Ohio in 1838, Tourgée was destined to live sixty-seven years more remarkable for catastrophe and disregarded prediction than for success. Before he became twenty-five, he had been cut severely on the teeth of a harrow, blinded in one eye in a shooting accident, paralyzed for a year as a result of a battlefield accident, and wounded in the hip by shellfire. These misfortunes were minor preparations for the life which faced him when in 1865, after brief experience as a lawyer, journalist, and teacher, he settled in Greensboro, North Carolina. For the next fourteen years, the carpetbagger from Ohio fought as a politician, a judge, a novelist, and a political essayist to effect legal and political reforms which would improve the South, transfer power from the planter class to the average Southerner, and guarantee equality for the free Negro. Defeated by the conservatism of Southern Republicans and the indifference of Northern ones, by the political chicanery of Southern Democrats, by the terror tactics of the Ku Klux Klan, and by the rashness and vanity of his character, Tourgée left North Carolina in 1879 to launch in the North an equally determined but even more futile crusade against prejudice. Olsen writes, ". . .his was an increasingly lonely cry. As the Negro became the forgotten man in the United States, his most vocal white defender was also forgotten."

In 1881 he reached "the pinnacle of his literary and political fame" as the author of *A Fool's Errand By One of the Fools,* which the noted literary critic Edmund Wilson has termed "an historical

classic" and as a friend and adviser to President Garfield. The twenty-four years which followed the assassination of Garfield brought fewer successes than failures—most notably, his failure to establish America's first weekly magazine, failure to win the *Plessy versus Ferguson* case, failure to secure rights through the National Citizens Rights Association which he established or through his political writings, failure to achieve political success, and his unhappy observation of the fulfillment of his prediction that the refusal of the North to ensure the rights of the Negro would result in virtual re-enslavement. In 1905, after eight years of frequently controversial service as consul in Bordeuax, Tourgée died. A monument above his grave bears a favorite quotation:

I pray thee then
Write me as one who loves his fellowmen.

Although Tourgée lived in North Carolina only fourteen years, Mr. Olsen devotes two-thirds of his book to an account of that period. Perhaps such emphasis is not fair to Tourgée, who achieved his greatest recognition two years after he left the South; but, as Mr. Olsen tells the life, the carpetbagger experience was both the most interesting and the most influential period, for during it Tourgée formulated the philosophy which motivated his subsequent activities.

The book offers a remarkably objective portrait of a man who frequently elicited admiration from men who hated him, who precipitated controversy wherever he went, and who mingled conflicting, destructive characteristics of idealistic faith in mankind, rashness, and vanity. Overshadowing the life of Tourgée, however, and illuminated by it, is the panorama of the struggle for power in North Carolina between 1865 and 1879. Mr. Olsen succeeds in bringing that period to life and in correcting the stereotyped image of carpetbaggers, not merely by assembling facts in a well-documented work, but more by showing the struggle through the eyes of a crusader who effected important reforms in North Carolina but who failed in his major mission. Neither a national figure politically nor a first-rate literary artist, despite fifteen books of fiction, several stories and poems, and more than one-hundred articles and speeches, Albion Tourgée, nevertheless, should be remembered—a carpetbagger on a fool's errand to voice the truths and win the goals which have sent Negroes into the courts and the streets one-half century after his death.

DARWIN T. TURNER

A and T College
Greensboro, North Carolina

Lyman Trumbull: Conservative Radical. By Mark M. Krug. (New York: A. S. Barnes and Company, Ltd., 1965. Notes, illustrations, bibliography, and index. Pp. 370. $7.50.)

Now that civil rights and equality of opportunity for all Americans show promise of realization, the careers of those men and women who played major and minor roles in securing these basic rights will come under greater and more careful scrutiny. The author of this biography represents his subject, Lyman Trumbull, as a major figure in the struggle for human rights while senator from Illinois, from 1855 to 1872, seventeen years which span the Civil War and Reconstruction, the stormiest era in the nation's history.

That Trumbull was no thoroughgoing demolisher of privilege, no consistent fighter for human rights Professor Krug reveals by the subtitle of his work: "Conservative Radical." The biographer attempts to justify this phrase, certainly a contradiction in terms, throughout his well documented work; he succeeds only in part. Though sometimes voting with the great antislavery senators, Trumbull was scarcely an antislavery man himself, certainly no abolitionist, even though he was against "extension of slavery and believed in the right of Congress to prohibit slavery in the territories." When Trumbull first went to the Senate, he "obviously was determined not to antagonize the Southerners, whose votes he needed for the confirmation of his seating, which was forthcoming."

Chairman of the Senate Judiciary Committee by 1861, Trumbull seldom allowed the original bills of his colleagues to pass from committee without revising them in terms of his own notions of legality and strict constitutional interpretation. Was he really, as asserted, the "father" of the Thirteenth Amendment? Others—Sumner, Ben Wade, and Morton Wilkinson among them—had proposed that slavery be abolished by a "law of Congress," but the legalistic Trumbull held out for constitutional amendment and finally had his way. He simply ". . .voted for the Fourteenth Amendment but did not speak in its support." The biography contains no record of his stand or action in regard to the Fifteenth Amendment. When Trumbull tried to push through the Senate Lincoln's plan of reconstruction for Louisiana, the "radicals" opposed him because the plan, as both Lincoln and Trumbull well knew, contained no provision ensuring Negroes in Louisiana the right to vote. Trumbull "had moved very little" by 1863 "from the position he took in 1858 when he told the Senate: 'In the great controversy which we have upon the slavery questiion I have never contended for giving the Negro equal privilege with the white man. That is a doctrine I do not advocate.' "

But Trumbull was not consistently conservative any more than he was continuously radical in his views and actions. Part of the difficulty in evaluating the man's career lies, as Professor Krug points out, in the very ambiguity of the terms. "Conservative" and "radical" mean all things to all men and connote, among other concepts, praise and blame, depending upon who uses them about whom.

After his career in the Senate, Trumbull supported Tilden in the notorious disputed election of 1876, going so far as to argue Tilden's case before the specially created Electoral Commission. Tilden's stand on Negro rights as far back as the 1840's had been anything but liberal. Trumbull's espousal of the man's cause reveals a certain myopia concerning basic human rights.

It is pleasant to record that the young Clarence Darrow knew and admired the aging Trumbull who, sympathetic with the workers in their strike against the Pullman company, "volunteered his services" when Darrow took the case of Socialist Eugene Debs to the Supreme Court. Now in his eighties, Trumbull refused to campaign for Populist candidates, but he achieved momentary popularity with them by addressing a Populist rally in Chicago where he ended his speech "with an appeal for the support of Negroes for the Populist cause."

In some instances Professor Krug seems overly enthusiastic in his claims for Trumbull's part in devising the great acts and amendments designed to guarantee the Negro legal justice and civil equality. Throughout the work Trumbull the man remains indistinct, shadowy: the clearly defined portrait of a personality expected of first rate biography is not here. The book does demonstrate with bitter clarity for this generation the awesome task of providing for and securing basic rights for all men. Men of good will with power, like Trumbull, have blind spots. Their weaknesses, compounded of background, training, and conditioning, betray them often into placing greater value upon displaying their imperfect knowledge and winning over their adversaries than in working consistently to accord others the rights and guarantees they demand for themselves. Whatever Trumbull did in the Senate and upon the hustings a century ago to help bring about the promise we now have of genuine civil and economic rights can only bring him praise. That he did more than he has been given credit heretofore, the verdict remains "not proven."

J. WELFRED HOLMES

Morgan State College

The Mighty Revolution: Negro Emancipation in Maryland, 1862-1864. By Charles L. Wagandt. (Baltimore: The Johns Hopkins Press, 1964, Pp. XII, 299. Sources and index $6.50.)

This volume is a scholarly achievement in the writing of local history which, in this instance, is also history on the national level because of Maryland's geographic and strategic position and Washington's political accessibility during the Civil War. It is a competent analysis of the intricate interplay of politics in Maryland during the critical years of transition from constitutional slavery to constitutional freedom.

The author deserves praise for his excellent research into a period of Maryland history wherein only a few writers have delved. He is alone in writing the first full length story of the political collapse of slave power in Maryland. This fact does not detract, however, from the able studies of Charles B. Clark (quoted by the author and also published in the 1940's in the *Maryland Historical Magazine*) who was concerned with the politics of emancipation in the state.

The author is adept in handling the tedious in-fighting between the Unconditional Unionists and the Conservative Unionists. See for example, his Chapter entitled "The Disruption of the Union Party." The former group, which never gained a clear and lasting dominance during the period, was led by the energetic Henry Winter Davis, the "darling of the Union radicals," (p. 26), and Hugh Lennox Bond, the liberal and persistent Baltimore judge. The Conservatives, men who abhorred any federal tampering with slavery, was led by John Woodland Crisfield, one of the ablest men in Congress and one of the largest slaveholders in the State. Another leading Conservative was Augustus Williamson Bradford, the distracted Governor who was loyal to the Union and Maryland's traditions of slavery.

The author employs skill in showing the heavy hand of the military in the critical election of 1863. His Chapter entitled "Election by Sword and Ballot," which also appeared as an article in the *Maryland Historical Magazine* in June, 1964, shows effectively the contemporary drama and excitement surrounding the intervention of the federal military in local politics. Of particular interest is the furor created by General Schenck's General Orders No. 53, famous or infamous, depending upon contemporary viewpoints. Interest is especially heightened as the author tells of the execution of the Order by Captain Charles C. Moore and his troops who, in Crisfield's bailiwick of Somerset County, a stronghold of Conservative Unionists and former secessionsts, arrested the judges of election (p. 166)

The Order required the voter to take an oath of allegiance to the United States.

In the event of a reprint, the author should correct the following errors in proof reading: "elcted" for elected (p.8); "men over the enter" for ever (p.23; "Paul M. Angel" for Angle (p.24, note 38, also p. 278); "Stanton should be italicied since it is a part of the title (p.122, note 30); "release all connection with" for connected? (p.31); "Jeffry" for Jeffery (p.46); "1870-1854" for 1954 (p.76, note 24); "various" for variously (p.97); "that they Goldsborough" for than (p.215).

But this is minor. What is major is this: if we accept Freeman's definition that "history is past politics," then we should congratulate the author for having written a very good history indeed.

W. A. Low

Maryland State College
Princess Anne

Hooded Americanism: The First Century of the Ku Klux Klan, 1865-1965. By David M. Chalmers. (Garden City, New York: Doubleday & Company, Inc., 1965. Pp. XII, 420. $5.95)

From its inception the Ku Klux Klan has been an ugly, disruptive, divisive element in American history. In the name of "100 per cent Americanism," Protestantism, fundamentalism, moralism, white chauvinism, capitalism, and statesrightism, the Klan fought all other "isms," many of which aimed at furthering the democratic evolution of our Constitution. While the conservative, lilywhite Klan fought to thwart the labor movement and the attempt to uplift poor farmers, it did not offer any positive program for the improvement of impoverished Americans, including many of its own members who stood to gain as much as any other group from whatever opportunity or aid made available. Quarrelsome, corrupt, dictatorial, money-mad Klan leaders operated to take over the politics of the entire United States. Klan bigotry, contempt, arrogance, floggings, manhandling, bombings, and murder were intended for the Negro, Jew, Catholic, and "new immigrant" from Italy, Southeastern Europe and the Orient, though many anti-Klan "100 per cent white Americans" suffered Klan brutality and derision. Even Klansmen brutalized and fought in the courts their own cohorts for control of the organization and its attendant spoils.

These are all well-known facts about the Ku Klux Klan; Professor David M. Chalmers, however, perspicaciously molds these facts, along with new information and interpretation, into this timely volume, which painstakingly unfolds the history of the Klan in

period after period and state after state during stages of its most turbulent flare-ups. Professor Chalmers examines the whole range in time and place, from Reconstruction to the Hot Summer of 1964. The volume is divided into forty-eight short chapters. While the first chapter gives a "Quick Look behind the Mask," the second chapter surveys the Klan during the Reconstriction Era, as based upon research in general works and monographic state studies. Thus the Klan's beginning "as a secret, nocturnal organization, operating during lawless times, ... for the purposes of better coordination and control . . . . soon turned into a vigilante force." The old interpretation of early Klan leadership composed of "the better citizens" losing control to a degraded "quality of membership" and "low and violent hands" is reiterated here; the result is that nothing new is added. The third chapter—"The Birth of a Nation"—suggests the influence that writings of Thomas Dixon, Jr., had upon twentieth century Klan movements. Overlooking the influence of Social Darwinism, Anglo-Saxonism, and the American Protective Association of the 1890's, Chalmers fails to bridge the gap between Reconstruction klans and twentieth century klans. *The Clansman* alone, though it was an essential ingredient, was not the catalyst.

The most noteworthy portion of the volume concerns the story of Klan activities in all of the states of the nation during the 1920's. This is vividly demonstrated in thirty brief chapters, interspersed with four chapters dealing generally with an analysis of Klan leadership, organization, and national politics. After having been organized by William L. Simmons, a native of Alabama, in Atlanta, Georgia, for the purpose of defending the nation "against alien enemies, slackers, idlers, strike leaders, and immoral women. . .," the earliest bastion of Klan imperialism of the 1920's was established in the Southwestern states of Texas, Arkansas, and Oklahoma. Thereafter the Klan spread its Grand Dragons, Grand Titans, and Exalted Cyclopes to every state in the union, varying in purpose according to rather particular local needs. Respectively, the Catholic, Negro, Jew, and alien were the victims in most instances. Usually Klansmen were the most vocal opponents of socialism, but in Milwaukee some socialists were Klansmen.

Because the Klan "was primarily emotional rather than rational", it attracted the "poorly educated" and insecure middle class who found in the Negro, the Pope, the Jew, and alien a "symbolic outlet for aggression." Its areas of concentration, consisting of "old-American" stock, stretched down the piedmont plateau to the poor, hilly lands throughout the South and "through the Ohio

Valley and Great Lakes country into the Midwest and then across the mountains to what was to become the early Klan bastion of Oregon." In these areas governors, with their greatest help from the Klan, were elected in three Southern states, four Northern states, two Midwestern states, and two Western states. Colorado, Oklahoma, and Indiana each elected, with powerful Klan aid, two senators, while Oregon, Texas, Tennessee, Iowa, and Kentucky chose one each.

But despite its weighty control over the Democratic party in some states and the Republican party in others and the tremendous impact it had on the election of 1924, "the decline of the Klan as a mass movement in America was its own fault, nobody else's." Because its leaders were out for money even more than power" and "the very terrorist tendencies of the Klan," which were vigorously opposed not only by Northerners but Southerners as well, the Klan was unable to regain its strength after the 1920's until the May 17, 1954 public-school desegregation decision. From this point on Chalmers breaks new ground, giving fresh interpretation of the relationship between the Klan and Goldwater's Southern stand and the various notorious civil-rights murders and bombings since 1954.

Chalmers has written an interesting book. His firm and sound judgments and generalizations, and even courage, are most welcome and commendable. Over and beyond its sometimes clumsy organization and repetition, this volume warrants the attention of all responsible citizens and public officials. Although the footnotes are inadequate primarily in terms of quantity and the bibliography lists A. R. Newsome instead of Vernon Wharton as author of *The Negro in Mississippi, 1865-1890* (Chapel Hill, 1947), this book will make a great contribution to democratic development of our nation.

GEORGE E. CUNNINGHAM

Texas Southern University

Equal Under Law. By Jacobus tenBroek. (New York: Collier Books, 1965. Pp. 352. Price $1.95)

Sharp differences of opinion continue to exist among historians, lawyers, and civil rights advocates with regard to the origins, meaning, and intent of the Fourteenth Amendment and the nature and extent of the federal power which it conferred. These differences have multiplied as the momentum of the civil rights revolution has accelerated during the past two decades. Professor tenBroek reexamines the origins of the Amendment and the debates which preceded its adoption (a story told many times before) to demonstrate that the broad protection of civil rights which the Supreme Court has discovered in the Fourteenth Amendment in recent years, were,

in fact, those envisioned and claimed by anti-slavery leaders and proponents as early as 1835-1838.

Equal Under Law is a Collier paperback re-issue of a monograph first published in 1951 under the title, *The Antislavery Origins of the Fourteenth Amendment.* This "new enlarged edition" is timely and again makes available a useful monograph which has been out of print for several years. It is identical with the original publication with two commendable exceptions. First, the author has added a twenty-six page introductory essay appraising the decision in *Brown v. Board of Education* and the leadership role of the Supreme Court in applying its rule, the doctrine of equality, to the various areas of racial discrimination. Secondly, there is added a documentary appendix of one hundred pages comprising four key anti-slavery ocuments.

Professor tenBroek's basic thesis is that the Fourteenth Amendment represents the culmination of more than thirty years of anti-slavery agitation rather than the spontaneous product of Civil War passions or purposes. An exhaustive examination and analysis of a variety of anti-slavery pamphlets, lectures, speeches, reports, and resolutions, many of which were not fully exploited in earlier investigations results in the convincing conclusion that both the language and constitutional theory upon which the Fourteenth Amendment is based was evolved and propagandized by anti-slavery leaders in the 1830's. Equal protection, due process of law, and privileges and immunities of the American citizen were the constitutional concepts repeatedly emphasized by these advocates in their arguments against slavery and in support of the existence of a national power capable of effecting its extinction.

The author concludes that the origins and purposes of the Fourteenth Amendment, far from being "at best inconclusive" as stated by the Chief Justice in *Brown v. Board of Education,* represents the final step in a comprehensive three-step plan designed to end physical bondage and extend to all American citizens the inalienable natural rights implicit in all government and clearly set forth in the Constitution. Thus, the Thirteenth Amendment, the second Freedmen's Bureau Act and the Civil Rights Act, and the Fourteenth Amendment were all directed to this end. Strong evidence is presented from the hearings before the Joint Committee on Reconstruction and the debates in Congress on the adoption of the Amendment which substantiates the position taken by later civil rights advocates that Section 5 of the Amendment wrought a revolution in federalism by giving Congress power to protect the rights delineated in Section 1 against invasion by both state and individual action. "It is nothing less than a colossal irony," observes the author, "that, after three

times adopting a program to nationize the rights of man, each time over the objection that it would destroy the federal system, the nation should then without benefit of formal repeal, adopt the objective and reject the program by a refusal to carry it out." (p. 122).

Equal Under Law is a commendable contribution to American constitutional history, adding much to an understanding of the evolution of the Fourteenth Amendment. The scholarly and exhaustive research which produced it is reflected in extensive documentation and bibliography. The judgments are sound, and the supporting arguments are convincingly presented in a cogent, unforced manner which reflects the author's extensive knowledge of the techniques, strategy, and philosophy of the anti-slavery movement. A table of cases and an index add to the usefulness of the book.

B. H. NELSON

District of Columbia
Teachers College

Three Lives for Mississippi. By William Bradford Huie. (New York: WCC Books, 1965. Pp. 254. Price $4.95)

In this documentary the author has given what is doubtlessly the almost true story of the state sanctioned murder of three young men, Mickey Schwerner, James Chaney and Andy Goodman, who were active in the Civil Rights movement in Mississippi. In starkly simple and dramatic language Huie effectively tells the story of what he calls "planned imposition of 'summary punishment' on three helpless prisoners who had broken no law. Summary punishment—where someone charged with enforcing the law takes it into his own hands and acts as police, judge, jury, and executioner—goes farther back into mankind's jungle than "ordinary" lynching. In simple lynching the law is overwhelmed. In summary punishment, the law cooperates."

The author begins with the discussion he had with the editor, Joseph Carter of the New York *Herald Tribune*, which launched him on the investigation of the murders of the civil rights workers. To set the atmosphere for comprehending what occurred he describes in nauseating detail the mutilation atrocity committed upon Edward Aaron by some Klan members in 1957. He explains that this is necessary to an understanding of the "more complex atrocity at Philadelphia, Mississippi." Because of the Klan's influence predicated upon a psychology of terror and hatred and its control of the important elective offices of the state, it has created a state that supports and cannot condemn their actions. Consequently, a state may be held guilty of the murders committed by the terrorists who

are aided by the police of the state. Huie believes that this was Mississippi's crime at Philadelphia.

Huie seems to have talked with nearly every important individual involved in this atrocity. The book is replete with the conversations he held with those close to the civil rights workers. Schwerner emerges as the dominant figure in the tragedy,—the visionary who was gentle, yet determined, who believed so in the essential goodness of man that he could not conceive that anyone would harm him. He was the one marked for death and Chaney and Goodman were killed simply because the murderers didn't know what to do with them. Huie does not think that any of the three "anticipated" his death, even while in jail.

The story follows the actions of the civil rights workers from the fateful Wednesday, January 15, 1964, when Mickey and Rita Schwerner headed south in their blue Volkswagen until August 16 when one of many memorial services for the dead was held after the bodies had been recovered on Tuesday, August 4, from their cruel tomb eighteen feet down in the center of a dam which had been constructed on a farm to create a "cattle pond". The attitudes of the workers, of the Negroes they hoped to help, of the hate-riddled Klansmen, and of the leaders of the state from the Governor to lower minions are explored. Huie makes this a most personal story and one feels that the writing of it was a most melancholy task.

Certainly, the civil rights movement has produced an explosion of books dealing with the Negro and the whites who are working for the cause. So many are there that one must be a selective reader if he wishes not to be overwhelmed. I believe that this is one of the more easily read although the details of the Aaron atrocity are not for the squemish. This reader confesses to laying the volume aside after the Aaron story and questions if it was really necessary to the documentary despite its relation to the entire Mississippi hate-mania. Yet, there are some individuals who do not believe that man in the United States can be savagely cruel because of another's color and the telling of this atrocity by a writer of note should jar them.

And it would make most readers agree with Huie who commends "an Anti-terrorist Law to those Americans who want to 'do something'. It is a limited objective. It would not end prejudice or hate. But it might encourage good men and it might save lives."

As the book began with a *Personal Word* from the author it ends with *With Gratitude.* An unusual touch to an extraordinary book.

Edna Burke Jackson

Mitchellville, Maryland

With the aid of Federal Grants the University of California at Los Angeles will offer intensive training in African languages of Swahili, Afrikaan, Hausa, and Zulu in the summer of 1966. Syracuse University will also under this grant give courses in Swahili.

The new Smithsonian will hang in the Hall of Historic Americans in the Museum of History and Technology at Washington, D.C. exhibits illustrating the progress of the Civil Rights Movement from the earliest slave days to the March on Washington, D.C. in 1963.

A pre-planning meeting of 200 representatives met in Washington, D.C. during November 1965 to arrange for the White House Conference on Civil Rights in the spring of 1966 as previously announced by Pres. L. B. Johnson. A. Philip Randolph and Morris Abrams were co-chairmen.

Secretary of Labor W. Willard Wirtz has appointed Vivian W. Henderson, President of Clark College, to the 14-member Task Force which will review Unemployment Service Programs. Henderson is an economist and has written in this difficult field of colored life.

Charlotte, N.C. has redeemed its good name by repairing the damage to 4 colored homes that were bombed there in late November 1965. The community subscribed also an $8,000 reward for the bombers and set a precedent in noble action worthy of emulation.

Roger W. Wilkins, nephew of Roy Wilkins, has been appointed director of the Community Relations Service. Pres. L. B. Johnson chose as co-director Brooks Hayes. The agency aims through diplomacy to intercede locally in resolving Civil Rights Problems.

Judges Griffin Bell and Elbert Tuttle of the 5th U.S. Circuit Court of Appeals have asked for more Negroes to be placed on juries in this jurisdiction. The action, no doubt, has been evoked by the sweeping criticisms of civil rights trials and others during recent years in the South.

Marian Anderson came out of retirement Sept. 28, 1965 to sing spirituals in Sainte Chapelle, a 13th century Paris, France church. Sol Hurok, her representative, arranged the engagement for the French committee that paid $10,000 for her participation in a half-hour program.

Stanton Wormley, academic vice president since 1964, is serving as acting president of Howard University in the absence on leave of President J. M. Nabrit at the United Nations. Wormley is the first alumnus of Howard to serve in this capacity in nearly a century of its history.

On Dec. 13-15, 1965 a commission of the A.M.E., A.M.E.Z., and

C.M.E. churches met in Atlanta, Ga. with more than 30 other bishops and 1,500 churchmen. Guidelines were adopted for the next meeting in 1966 at Washington, D.C. and 1972 was agreed as the date of organic union of the three Methodist churches.

James Butler Williams, Jr., 16-year-old student of Charles L. Harper High School, Atlanta, Ga., has been selected as one of two Georgians to work a week in the offices of Senators Herman Talmadge and Richard Russell. He will spend a week in Washington, D.C. in January 1966. The colored vote in Ga. is producing unprecedented changes.

Melvin Tolson has been appointed to the Avalon Foundation Chair in the Humanities at Tuskegee Institute with an endowment of $300,000. Tolson is well known and his work will parallel that of Saunders Redding at Hampton Institute where he holds the James Weldon Johnson chair of creative literature.

Raymond Pace Alexander of the Association's Executive Council spent two months under the auspices of the U.S. State Department in the Far-East last summer. His itinerary included India especially where he lectured and some neighboring regions now locked in the struggles of war to decide their destiny.

Atlanta University held its centenary October 17, 1965 after conducting throughout 1965 a series of meetings, lectures, and convocations. Present at the crowning event were over 200 representatives from colleges and universities who brought greetings as they participated in the colorful ceremonies.

The papers of the late George A. Towns, veteran distinguished professor in Atlanta University, have been presented to the University Library by Towns' daughter, Mrs. Grace T. Hamilton. These papers include correspondence from 1898-1959 of Towns with notables over 75 years during which he was student, professor, and in retirement.

The Frederick Douglass Memorial Bridge across the Anacostia River in Washington, D.C. was formally opened October 18, 1965. Benjamin Quarles, an authority on Douglass, was the principal speaker. A great, great grandaughter of both Frederick Douglass and Booker T. Washington was present witnessing the ceremonies.

The American Historical Association held a session at San Francisco, Cal. Dec. 28, 1965 on *Interracial Violence in Twentieth Century America.* Elliott M. Rudwick, Robert L. Zangrando, and Arthur I. Waskow read papers on the subject.

James A. Bacoats, President of Benedict College, since 1944 passed away at the age of 73 after a splendid career as minister and college president. He increased the enrollment from 400-1150, fac-

ulty from 30-110, buildings from 10-23, and the annual budget from $80,000 to $1,250,000. In 1961 he secured for the college full accreditation. While a prominent minister, Bacoats' rarest contribution was in education.

William L. Hansberry is dead at 71 after a career of promotion and teaching African history to which he early dedicated his life and services. Though not a scholar equipped in languages like Lorenzo D. Turner and Mark H. Watkins, Hansberry's contribution was in promoting African history through travels which finally included Nigeria where the Hansberry School of African Studies at the university is a fitting memorial. At Howard University he taught in his chosen field over 40 years and offered some of the first African history courses in an American College. It is said that he had written extensively in fields of his African interest although his writings were never published for the scholarly world to evaluate them.

ANNUAL REPORT

RESEARCH AND PUBLICATION 1965

Research and publication continued in 1965 although funds for these purposes have been limited over a generation. Benjamin Quarles, president of the Associated Publishers, and his editorial assistants made a thorough inventory of all books at headquarters and reported in detail at the Atlanta meeting in October 1965. His report was the most comprehensive of record with accounts of manuscripts on file and their potentialities for publication. He took into consideration the possibilities of various types of publications and their prospects in the book markets which are rapidly changing. *The Negro in Our History* has been revised and brought up to date in the eleventh edition which should come from the printers in 1966 at a new cost of $10.00. A paperback edition of this work is proposed to keep it in accord with other publications now coming into popular demand. The Charles H. Wesley Research Fund and his return as Executive Director will, no doubt, quicken and carry forward research and publication which have been slowed since the passing of the Founder in 1950.

EDUCATIONAL WORK

Educational work of the Association has suffered less than that of some other departments because it consisted largely in circulation of materials and directions for their use. These comprised the distribution of numerous pamphlets and circulars many of which were duplicated on machines installed during the last few years. Teachers, schools, colleges, churches, and communities were reached in systematic fashion and with heartening responses. Elementary and secondary schools were especially served while colleges managed their own programs which were suggested in the announcements. The *Negro History Bulletin* and the *Journal of Negro History* served mightily in this effort and their directions went around the world with special emphasis upon the United States. Integration in education has increased the demands for the Association's educational services which included vast quantities of visual materials in pictures which were particularly valuable.

NEGRO HISTORY WEEK

The Founder's vision in establishing this week was vindicated in 1965 with encouraging prospects for the years ahead. Kits were carefully designed with suggestions to meet the needs of almost any school, church, or community. Planning for the work was based upon previous experiences with definite aims to meet new and changing

needs. Files have been kept from year to year which each succeeding annual kit uses in reorganizing and revising materials. Suggestions were made concerning local talent and community history because they bring Negro history home to all age groups while achievements elsewhere were never neglected. Libraries greatly simplified many celebrations, but the aims were to provide sources of information no matter what the available materials were. Older persons and especially ministers and other community notables everywhere helped splendidly. Pictures and other visual materials were suggestive and significant for types of oral history. There were some Negro history breakfasts which continued the Founder's Authors Breakfasts of previous years. No exploitation of the effort was reported.

THE NEGRO HISTORY BULLETIN

This periodical remained the *Voice of the Association for the Study of Negro Life and History.* Churches, schools, colleges, and communities were kept informed through this medium of efforts, activities, plans, and programs. Printing remained perplexing because of increasing costs and the difficulties of securing new standards of quality. Scarcity of paper was responsible for some delays which were atoned in part by the Summer Number which portrayed the Association's Golden Anniversary. This was uniquely designed with contributions from distinguished historians and others prominently associated with the Association through the years. The outlook is very bright with prospects of improvement through increased finances and promotion which will bring the *Bulletin* up to the standards of the very able Editorial Board. Distinguished colored families remain on the agenda although they did not appear as usual in 1965. These have proved through many years excellent in portraying significant aspects of Negro Life and History. Circulation increased and the outlook for continued progress is encouraging.

THE JOURNAL OF NEGRO HISTORY

The *Journal* completed its 50th year in 1965 without ever missing an issue during a half-century although lengths have had to yield because of limited finances. What has been lost in spaces has been recovered somewhat in quality which has never declined. Longer manuscripts of other days have yielded to shorter papers and reviews have been reduced nearly to the limits of other learned periodicals. The late Arthur Schlesinger said of the *Journal* in 1965: "Thanks to the constructive genius of Carter G. Woodson, the founder of the Association, the *Journal of Negro History* from the beginning established itself as an equal member of the family of American historical periodicals and as the leader of its particular field". These words

from the nestor of American cultural, intellectual, and social history are heartening as the *Journal* enters upon its second half-century. Since scholarly research about Negroes has long depended largely upon this medium for publication, its sponsors take fresh courage and are inspired to carry on. Manuscripts continue to be submitted far beyond current capacities to publish because of increasing costs of printing. Where originally contributions had to be solicited they came in 1965 on an average of two per week. Circulation went to every continent and great library in the United States and Canada.

BRANCHES OF THE ASSOCIATION

Branches of the Association have always been sources of keen interest, income, and areas of promotion in soliciting members as well as distribution of materials. Some systematic studies among adults flowered through the years and have fostered knowledge of Negro history. In cities scholars have pointed the direction of studies which were invaluable in spreading the cause of Negro history where it otherwise would have not been known. The yearning for this information has been similar to that of far-off days when colored peoples' zeal was so keen that it sought opportunity on Sundays and at night. New York City, Brooklyn, N.Y., Houston, Texas, and Los Angeles, Cal. warrant mention because of their outstanding efforts. Smaller communities, however, have been engaged in carrying the torch of information lighting ways and inspiring enthusiasm to learn about the Negro's past. The flame which Carter Woodson and his disciples ignited is burning and spreading. The circles are ever expanding and Negroes who have been taught for centuries that they had no history are, therefore, realizing that they have made substantial contributions to civilization and have legitimate historical claims.

THE ANNUAL MEETING IN 1965

The 50th Annual Meeting of the Association was indeed a Golden Jubilee at Atlanta, Ga. The program was splendid and Charles H. Wesley's editing made the closest approach of record to those of other learned historical societies. The setting was unique at Atlanta University where the first scientific studies of Negro Life and History were initiated over 50 years ago. The sessions were held in Dean Sage Hall on the campus and housing was in the dormitories of the Interdenominational Theological Center, motels, hotels, and private homes. Since 1965 was the institution's centennial year, the meeting of the Association became a part of the agenda of several scheduled meetings of conferences and societies. Gratitude is due the local committee of arrangement as well as university and com-

munity officials. Sessions and papers were of high quality and very few on the program were absent. The Annual Dinner was held in the dining room of Morehouse College with Ralph McGill as speaker and this was a highlight of the meeting. College Librarians met simultaneously and there were some joint sessions of mutual interest. The business meeting on Saturday morning reelected officials with some changes in that Charles H. Wesley became Executive Director of the Association in which capacity he has served 14 years while at Wilberforce, Ohio. Lorenzo J. Greene, assistant to Carter G. Woodson 1928-1932, of Lincoln University, Jefferson City, Mo. was chosen President of the Association for 1966. The annual meeting that year was invited to Morgan State College, Baltimore, Md. There was rejoicing over Charles H. Wesley's return to headquarters in Washington, D.C. after long wearing of Carter G. Woodson's mantle and directing Association affairs in absentia. Gratitude and thanks were espressed for the graciousness of the local committee, university officials, and Mayor of Atlanta who personally welcomed the meeting.

Financial Statement Period: 1 June 1964 through 31 May 1965

Journal	Receipts	*Journal*	Disbursements
Subscription	$ 8,987.03	Binding	$ 1,800.00
Sales		Printing	8,743.14
Single Issues	189.62	Supplies	85.00
Bound Volumes	3,312.68	Postage	503.00
Reprints	403.09	Promotion	940.00
Royalty	115.52	Salary	900.00
Advertisement	337.50	Copyrights	16.00
		Refund	4.22
Total	$13,345.44	Total	$13,091.36
Bulletin		*Bulletin*	
Subscription	$ 7,780.93	Refund	$ 26.18
Sales		Binding	974.90
Single Issues	146.76	Copyrights	24.00
Bound Volumes	2,878.13	Printing	6,480.93
Advertisement	75.60	Engraving	742.79
Royalty	27.78	Supplies	115.00
		Postage	612.50
		Promotion	800.00
		Salary	1,498.17
Total	10,999.20	Total	$11,274.47

Association		*Association*	
Contribution	$3,422.65	Printing	$ 128.35
Publication	591.86	Postage	460.00
Associated Publishers	5,795.57	Supplies	106.44
Memberships		Taxes	580.13
C. G. Woodson	548.50	Salary	1,000.00
Institutional	217.00	Repairs	1,691.15
ATA	142.00	Promotion	508.96
Miscellaneous	625.24	Miscellaneous	534.88
		Equipment	351.74
		Insurance	59.87
		Petty Cash	95.00
		Hauling	80.00
		Trash removal	120.00
		Advertisement	525.25
		Bonus	140.00
		Maintenance	892.67
		Refundable	3,111.53
Total	$11,342.82	Total	$10,385.97
Grand Total	$35,687.46	Grand Total	$34,751.80

THE JOURNAL
OF
NEGRO HISTORY

VOL. LI—APRIL, 1966—No. 2

FIFTIETH ANNIVERSARY OF *THE JOURNAL OF NEGRO HISTORY*

This is the fiftieth anniversary of *The Journal of Negro History* which originated in the creative and seminal mind of Carter Godwin Woodson. His preparation for this adventure was unique; he trained at the University of Chicago, Harvard, and the Sorbonne at a time when African and American Negro Studies were not offered in any American institution. Woodson secured the best available foundation in history and political science to which he added travel around the world where he learned to speak French and Spanish nearly as fluently as he spoke English. Since there were no authorities on the Negro in America, Woodson concentrated in history and political theory and never touched the Negro until he had completed his formal studies with a doctoral dissertation on the Disruption of Virginia which remains unpublished.

Burgess, Dunning, and their numerous disciples were writing the history of the Civil War and Reconstruction from the point of view of the South which did not really lose the war except on the battlefields! Reconstruction historians and Southern politicians repudiated the Civil War Amendments to the U.S. Constitution while segregation and disfranchisement restored the essence of slavery which was to last for a century! Woodson saw more clearly than anyone of record that unless the records of Negroes were found and published, the Negro would become increasingly, after the "nadir-regime," a negligible factor in the history and thought of the world! With this vision, Carter Godwin Woodson founded *The Journal of Negro History* in 1916 with the financial resources of a Washington, D.C. high school salary and great

ideas which were to flower in the *Association for the Study of Negro Life and History,* the *Associated Publishers,* and *The Negro History Bulletin* as well as *Negro History Week.* How much the revisionist rewriting of the Civil War and Reconstruction has been due to the work of the *Journal* can not be estimated although it has been considerable.

Hofstadter, Beale, Krug, Stampp, DuBois, Woodward, Franklin, Quarles, Wesley, and others have researched the history of Reconstruction and found it wanting so far as incontrovertible evidence and interpretation are concerned. The *Journal* was for sometime about the only medium for the dissemination of new points of view on slavery, the Civil War, and Reconstruction where Negroes were concerned. Several papers by revisionists have been published in the *Journal* when American historical periodicals published very little or nothing of a revisionist nature concerning the most controversial period in American history. After a half-century of crusading, papers on the revisionist point of view about Negroes appear rather generally in the North and South with Southerners like C. Vann Woodward and others outstanding in writing and teaching the truth about slavery, the Civil War, Reconstruction, and segregation. If the *Journal* had done nothing more than merely help awaken the consciences of American historians, its contribution would have been worthwhile.

This special issue of the *Journal* is not intended to be a celebration as much as it is a dedication and reminder of the unfinished task which is ahead. When Dr. Woodson started, he and Dr. DuBois were the only scientifically trained colored historians. There are many that could be listed today, but they are infinitely less productive than they should be encouraged to be! This means that in days ahead colored historians should have more time and support for research and writing now possible even in libraries of the South which are not being used by colored historians as much as they can and should be. Woodson would speak to these young and other trained colored historians to go forward, which it is fervently hoped that they will do in days ahead. New opportunities are opening almost daily for research and writing which the foundations are encouraging to say nothing of the

federal government in offering grants for travel with possibilities of study abroad.

It has seemed germane to present in this special issue of *The Journal of Negro History* some opinions of historians and scholars who are competent to appraise the performance of a half-century. Some of them have published more than one paper in the *Journal* and space precludes a longer assortment of testimonials. All told, there has been progress and the route which stretches ahead has encouraging potentialities to which historians are beckoned and welcomed to take advantage and join this pioneering and continuing adventure.

WILLIAM M. BREWER

I am happy to join in saluting the Association for the Study of Negro Life and History on the occasion of its Golden Anniversary. Thanks to the constructive genius of Carter G. Woodson, the founder of the Association, *The Journal of Negro History* from the beginning established itself as an equal member of the family of American historical periodicals and as the leader of its particular field. On so solid a foundation of achievement it is certain to render equally valuable service in the future.

ARTHUR M. SCHLESINGER, SR.

Harvard University
September 1, 1965

It was my privilege as an instructor in the Teaching of History and Modern Languages in the Teachers College at Howard University, to become acquainted with Carter G. Woodson. I knew him as a pioneer scholar in the neglected field of African and Negro-American history. I began immediately to work with him and the cause which he initiated. However, I did not know of his plan to publish *The Journal of Negro History,* January, 1916, until it had appeared in published form. And yet, this was his way of working without introduction and published fanfare.

During this period, events in publishing had taken place

so far as Negro history was concerned. One year before the organization meeting of the Association for the Study of Negro Life and History at the YMCA in Chicago, Illinois, September 9, 1915, another historian had written and had published a significant little volume. W. E. B. DuBois, who was the first colored person to receive the degree of Doctor of Philosophy in history from Harvard University—Woodson being the second to receive the same degree—had his *The Negro* published by Henry Holt & Company in 1915. It was, as DuBois called it, "a Sketch in Racial History." In the same period, John W. Cromwell brought out his *The Negro in American History*, which bears the imprint of the American Negro Academy for 1914. Two years later, Woodson brought out his *The Education of the Negro prior to 1861*, under the imprint of G. P. Putnams's Sons. The time was ripe in this period for the rise of the Association for the Study of Negro Life and History.

Woodson belonged to the list of American pioneers who were not moved by these happenings by others. He was in the list of American personalities in the techniques and processes of American life who believed that it was necessary for one to work one's own plan alone. He had, in this respect, a type of intolerance and self-opinion which a few of us regarded with humor and indulgence, because we looked upon the cause as well as the man as equally valuable. This was an aspect of the historic "rugged individualism" which had created the greatness of our nation through outstanding individuals with initiative and personal sense of direction. He was a part of the era when the individual would endeavor to develop through his personal contribution, his planning, and prefer to go his way alone. Therefore, he started the *Journal* on his own initiative, beyond the notice to the organization meeting in Chicago, and with his own funds and editorial policy.

When Woodson made his first Annual Report as Director, one year after the *Journal* started, he showed that the total circulation was 2,830, with 1430 as subscribers. There were 400 copies sold on newsstands, 1000 copies were used for promotion and 1000 copies were kept on hand for future subscribers. The task of maintaining this program of publica-

tion, both editorial and management, was a huge one. The outbreak of World War I caused a decrease in income, but contributions were received: from Professor Robert E. Park of the University of Chicago, seventy-five dollars; from the Phelps-Stokes Fund, one hundred dollars; Jacob H. Schiff, one hundred dollars; Julius Rosenwald, two hundred dollars, and Carter G. Woodson, one thousand dollars. Dr. J. E. Moorland of the International Committee of the YMCA, was the Secretary-Treasurer at this time. In his report, he paid a tribute to Dr. Woodson in the following, "As one who has done most of the work and contributed most of the money to finance the movement."

It was my privilege in the second year of the *Journal* to submit an article which was accepted for publication by Woodson and published in the October issue, 1917, under the title, "The Struggle for the Recognition of Haiti and Liberia for recognition as independent Republics." The personal relations and friendship which began at this time continued into later years. Quite gradually, Dr. Woodson moved toward the cooperative idea, and became more willing to work with others and to invite them to work with him. He agreed to an Editorial Board for the *Journal* and also, later, for *The Negro History Bulletin.*

Woodson readily accepted associates who were working with him on specially assigned projects, but when any of these persons attempted to move into the areas of the Association's activities which he regarded as exclusively his own, the probability was that there would be separation. He was singular in purpose and devoted in procedure. He knew where he was going, and nothing was to stand in his way. And yet he was always ethical in all activities. This apparent weakness was at the same time his tower of strength, as the first of the organizers of modern research, writing, and publication in the history of the people with darker color in all parts of the world. Others had written about Negro history and turned the material over to others to publish and distribute. Dr. Woodson pioneered in the cause of uniting these processes and succeeded.

Charles H. Wesley

I am happy to make a statement about *The Journal of Negro History* during the years, beginning 1952. I have not followed the inner history of the making of *The Journal* and thus base my judgment on my familiarity with its articles and reviews as I have read them over the years and by my now taking another, extended look at its volumes.

I find, in these years, the maintenance of the high scholarly standards one looks for in a professional historical journal. I am also impressed by the list of contributors of the articles: the established scholars and the younger men and women whose monographs in the field are now well known and highly regarded and with whose names and work I first became acquainted as I read their articles in the *Journal.* I am also impressed by the nice balance between the thoroughly researched articles on carefully defined and limited topics on the one hand and by the interpretive, stimulating, and, to use a trite expression, "path-breaking" character on the other. Especially noteworthy, it seems to me, has been the broad frame of reference of editorial policy. In addition to the articles one would expect on the place of particular leaders and organizations in Negro history, one finds admirable essays relating some aspect of Negro history to such broad movements and currents of thought as the frontier, movements of political protest such as Populism, organized labor, religion, intellectual, and cultural interests, and historiography in its broader as well as in its more technical aspects. One must also appreciate the policy, begun, I believe, under Dr. Carter G. Woodson, of making available newly discovered and out-of-the-way documents. Also commendable has been the attention given to comparative history in the form of the many papers on slavery and the Negro in Africa, the West Indies, Mexico, Brazil and other countries. The reviews of the new books also seem to me to have been useful guides to those of us in the profession whose major work lies in other fields.

Thus it is a pleasure to indicate on this occasion my appreciation of the contributions of the indispensable *Journal of Negro History.*

MERLE CURTI

Frederick Jackson Turner Professor of History
University of Wisconsin

There is just a touch of humor in the fact that, today, perhaps the most feverishly cultivated area of American history is the history of the Negro American. One has only to read the list of dissertations in progress to discover the lively interest in the subject at our universities. Almost any list of books recently published, moreover, will contain its share of titles touching directly or indirectly on the history of America's largest minority. This recent "discovery" of the Negro's past and the enthusiasm with which the "pioneers" pursue their subject have a social significance that, in some other context, would be well worth pursuing. Happily, *The Journal of Negro History* is one of the early discoveries that the new students of Negro history make.

In the sense that *The Journal of Negro History* has been recently discovered by so many who have lately come to the subject of the Negro one might view the *Journal* as some ancient relic that provides the key to a whole area of hitherto unknown human history. Obviously, the analogy will not hold; but it must be recognized that not only was *The Journal of Negro History* the major instrument for pioneering in its field but, for fifty years, it has been the major repository for new facts and new views on the history of the Negro American. Scarcely an aspect of the history of Negroes has escaped the purview of the *Journal,* whether it has to do with the free Negro, slavery, abolition, the nation's wars, Reconstruction, or civil rights.

The *Journal,* early in its history, encouraged writers—old and new—who had something significant to say by opening its pages to them. If the statement was a mere "note" on some document, the only criterion was its significance or importance. If it ran to the rather excessive dimensions of a monograph, a sincere effort was made to accommodate it. It was this flexibility, together with the high standards that Dr. Carter G. Woodson and his successors have sought to maintain, that give the *Journal* a richness in quality and variety.

The many students of this generation of zealous pursuers of truth about the history of the Negro American have come to realize the same thing that a much smaller number learned

during the first fifty years of *The Journal of Negro History*. The realization is not at all far-fetched or elusive or difficult. It is merely that if one has a serious interest in studying the history of the Negro and most particularly if one seeks to make some contribution to our knowledge of that history, the one indispensable starting place is *The Journal of Negro History*. Among the discoveries that he might make is that the work he contemplated had already been published in the *Journal*. Even if that was not the case—and what student of history wants to discover that his favorite topic has already been treated—he would doubtless discover numerous articles, notes, and monographs in the *Journal* that would be of inestimable benefit to him as he launched his own research and writing.

The world of scholarship and the world of affairs owe a debt to Dr. Woodson and his successors that can never be paid. But all who depend on the *Journal* for the riches that it has given the world will be ever grateful that there was such a man as Dr. Woodson who had the vision and the practical talents to launch a journal that has remained so very significant for a half-century.

JOHN HOPE FRANKLIN

University of Chicago

The Journal of Negro History has been a fruitful source of information and inspiration for scholars concerned with the history of the Negro in America since its founding. I can speak from my own experience of using and reusing, reading and rereading its pages, the early issues as well as the more recent ones.

The fact of founding was in itself a contribution, a tangible sign of maturity to a group which had overlooked the Negro in America—the historians. Over and above that, the *Journal* quickly published articles and documents which uncovered large unexplored areas in our history. In the colonial period, I think of an article on Paul Cuffe in volume 8 and a pioneer study of the Negro in the American Revolution in volume 1. The publication of Negro migrants' letters in volume 4 was an ingenious venture which is still paying research dividends.

As the *Journal* matured, its content became even more

professional. Volume 23 included a pathbreaking reinterpretation of Alabama Reconstruction; volume 29 carried the penetrating critique of U. B. Phillips; volume 32 contained first thoughts about the Negro and the 1912 election; and volume 38 published a striking essay on Booker T. Washington's control of the Negro press. These exemplify the quality of historical research and criticism which marked the *Journal* in its middle years.

Now, at its 50th milestone, the *Journal* has a proud tradition on which to stand, a tradition which has encouraged scholars to grapple with the problems of Negro history in isolation or as part of the larger American story. May it continue in that tradition, not as a vehicle for pundits and commentators, not as an international periodical for colored people but as a serious and scholarly publication. May it carry the evaluations and accoutrements of scholarly research, not symbolically, but as integral segments of an important story that cannot be told as appropriately anywhere else.

Leslie H. Fishel, Jr.
The State Historical Society of Wisconsin

For half a century *The Journal of Negro History* has contributed importantly to a more accurate assessment of the American past. The America that emerges from the fifty volumes of the *Journal* has three overriding characteristics —it is pluralistic, it is revolutionary, and it is purposeful. These have been typically American attributes, and it has been the distinctive role of the *Journal* to see to it that they have taken their rightful prominence in the corpus of American history.

America is a country of many different peoples from many different lands. But until the appearance of the *Journal,* the rich role of one of these components—the Negro—was not fully sensed. Unlike other groups which had come to these shores, the Negro was not thought to be a constituent part of America, or to have contributed to its cultural patterning. The *Journal* has changed this misconception, thus enabling us

to get a better focus on the historic role of Americans of African ancestry.

The America the *Journal* depicts is revolutionary, portraying a country, if not a world, that is dynamic. The Negro personifies America's social revolution, whether it be a David Walker appealing for the overthrow of slavery or a Niagara Movement calling for new solutions to old problems. If America can be called the land of permanent revolution, the *Journal* has been contributory to this concept.

A sense of direction, a hypothesis of progress, these are the impressions one gets from the *Journal's* contents. History is not blind chance, headed nowhere. Rather, history is to be viewed as one increasing purpose, as a progressive, if spiraling, development of human potentialities. In conveying this impression as in conveying others, the *Journal's* authors met the canons of historical scholarship. If the *Journal* broke ground in a field in which little had been done, it inspired confidence by the standards it adhered to.

BENJAMIN QUARLES

Morgan State College

In recent years Negro history has become fashionable. Articles, monographs, documentaries, interpretive surveys and popular histories have poured from the presses in a deluge so heavy that one can no longer keep up with work being done in the field. American Negro history has become, without question, one of the leading subjects for serious scholarly investigation, and the resulting studies have greatly enlarged our knowledge of the Negro's past. Much still remains to be done, and *The Journal of Negro History* will continue to play a key role in the conquest of scholarly frontiers. In the future the *Journal* will have a great deal of help from the other historical quarterlies, but for the decades after its founding in 1916 *The Journal of Negro History* was the major, and at times almost the only place one could go for significant, meaningful, thoughful articles on the Negro and race relations. This year I am conducting a seminar at Princeton on Negro history, and as I work up the bibliographies for student reading and research I am repeatedly impressed by the number

and scope of articles that have appeared in the *Journal*. My bibliographies contain dozens of such articles already, and we have only reached the Reconstruction period in the seminar. Some of the best work of such pioneer scholars as Carter Woodson, Monroe Work, Luther Jackson, Charles Wesley, William Brewer, Herbert Aptheker, Benjamin Quarles and others was published in the *Journal*. One still goes to the library shelves and pulls out volumes of the *Journal* from the 1920's, 1930's, and 1940's for indispensable articles on the Negro in the abolitionist movement, free Negroes in both the antebellum North and South, the Negro in the Union and the Confederate armies, the Negro in Reconstruction, and other subjects. All of the hundreds of historians now working in the field of Negro history owe a great debt to this handful of dedicated scholars, and particularly to Carter Woodson, who laboriously and at times brilliantly laid the foundation upon which the current edifice of Negro studies is being built.

JAMES M. MCPHERSON

Princeton University

The fifty volumes of *The Journal of Negro History* stand as an imposing monument to the historical foresight and dedicated ambition of its founder and long-time editor (1916-1950), Dr. Carter G. Woodson. After the death of Dr. Woodson in 1950, with the exception of one and one-half years, Dr. W. M. Brewer, has presided over the destiny of the *Journal*.

Established in 1916 for the purpose of publishing the facts relating to the historical contributions of the Negro, the *Journal* constitutes a veritable mine of information on the subject. Nowhere in the world can be found a similar collection. Neither the serious student, nor the inquiring layman desiring to acquaint himself with some aspect of Negro history, can afford to over-look these volumes.

The scope of the *Journal* both as to geography and subject matter is likewise impressive. Its coverage is world-wide. Chronologically, the volumes deal with the Negro throughout the entire historic, and part of the pre-historic, period. No

area of Negro life and history is left untouched. Whether the researcher is interested in the Negro's contribution to labor, politics, art, literature, religion, education, biography, slavery, abolition, military efforts, or any other area he *must* consult the *Journal.*

Equally significant are the many and varied contributors to its pages. White, as well as Negro, scholars have availed themselves of the *Journal* as a vehicle for publishing their findings. In fact, the former outnumber Negro contributors.

The value of the *Journal* does not inhere in the articles or contributors alone. Book reviews, documents, communications, notes, annual reports of the Director, Proceedings of Annual Meetings, and a quarterly bibliography of current books, pamphlets, and articles dealing with the Negro on a world-wide basis, all enhance the worth of the *Journal.*

The contents of the *Journal* have exerted a profound influence upon historiography. A new perspective has been given to the Negro in history. Hypotheses, once accepted as fact, have been overthrown; light has been shed on hitherto dark areas of history. Gaps in the historical record have been filled by both Negro and white scholars. The result has been a reappraisal and a partial rewriting of the historical record.

Ranking alongside such scholarly publications as the *American Historical Review* and the *Journal of the Organization of American Historians, The Journal of Negro History,* as the late Professor Everts B. Greene of Columbia University remarked several years ago, "represents an impressive record of honest substantial scholarship."

LORENZO J. GREENE

Lincoln University

From its very inception, Dr. Carter G. Woodson's *Journal of Negro History* has been more than a specialized research journal and never a vehicle of racial propaganda. Like the young NAACP, it was biracial in its sponsorship, authorship, and philosophy of democratic equality. In these fifty years, Dr. Woodson's efforts have been rewarded by the influence which the *Journal* and the Association for the Study of Negro

Life and History have exercised in changing the history textbooks at all levels and in helping to create through the schools a more enlightened view of the Negro in history. The revisionists who saw the Negro through racist spectacles, notably in the story of Reconstruction, are yielding to a more realistic generation. The one-time dominance of Ulrich B. Phillips and his *American Negro Slavery,* which was assailed at the time in the *Journal* by both Woodson and William M. Brewer as a dehumanized chattel presentation, has passed. Only recently, a *Journal* contributor demonstrated that Phillips had deliberately distorted his alleged evidences concerning the Negro.

From the first issue in 1916, and in the very first article, Dr. Woodson set the future pattern of interpretation in "The Negroes of Cincinnati Prior to the Civil War." Woodson was always to remind researchers and teachers to portray the activist Negro as he was and not the passive plaything of rival sections or conflicting classes; here he depicted the Negro migrant engaged in the constant task of survival, whether economic or social, coping with the trade unions, building a small enterprise, and always concerned with schools and the goal of integration. Woodson will be particularly remembered, as will other contributors like Charles Wesley and Monroe Work, for their efforts to awaken the Negro to an appreciation of his African as well as his native American roots. And historians of both races recognize the influence of the *Journal* by the very frequency with which they cite facts and interpretations from its pages. This achievement of discovering the Negro past despite the scant personal records left by an enslaved, unschooled, and finally migratory people has been an indispensable source of guidance and encouragement for the future of race relations in America.

HARVEY WISH

Western Reserve University

There is no better or more enduring testimony to the scholarly achievement of Carter G. Woodson than *The Journal of Negro History* on the staff of which fifty years ago he began serving as the first editor and the first director of research;

and those who have succeeded him in these capacities are to be congratulated on maintaining the same high quality of scholarly work that he contributed until his death.

Throughout its history the *Journal* has attracted to its long list of contributors many of the most distinguished scholars, not only in the United States but elsewhere, in the field with which it deals—the history of the Negro and an evaluation of his contribution to world culture, together with an estimate of the work of many other persons and other movements related to the Negro.

The scholarly articles and monographs which the *Journal* has been publishing reveal numerous facts about the Negro which previously were unknown. These, together with related projects it has promoted, by revealing the truth concerning the Negro's accomplishments in all aspects of our society constitute a unique contribution to better race relations everywhere. Active participants in the current social revolution in this country will find *The Journal of Negro History* not only an inspiration but a rich source of information which can be used to great advantage in their struggle for civil rights.

It is highly appropriate, therefore, that during this fiftieth anniversary of the first appearance of *The Journal of Negro History* one should be aware not only of the distinguished work of its first editor and research director, the late Carter G. Woodson, but also of the significant contribution which those at present connected with the *Journal* are making and will continue to make during this critical period in the Negro's struggle for equality in every facet of American life.

LORENZO D. TURNER

Roosevelt University

During the fifty years of its existence, first under the pioneering leadership of the late Carter G. Woodson, and presently under that of his very able successor, William M. Brewer, *The Journal of Negro History* has earned an enviable reputation for its scholarship and the originality of its contributions to the study of Negro history in particular and American history in general.

In 1949, Professor Harold Laski, in his study of *The*

American Democracy, wrote of the *Journal* that "it is slowly but surely altering the whole prospective of our knowledge in its speciality, and has managed, to an exceptional degree, to combine the ability to be scholarly with the power to be of general interest."

The years since 1949 have documented Laski's tribute. If today we are closer to an understanding and appreciation of the Negro as a factor in American history, if we have a greater knowledge and truer interpretation of American slavery, the Abolitionist movement, the origins of the Civil War, the period of Reconstruction, and the struggle for justice and equality throughout American history, it is in great part due to the research and writing that are to be found in the pages of the *Journal*.

LOUIS RUCHAMES

Smith College

The Journal of Negro History has performed three unique functions in historical scholarship during the half-century of its publication, in addition to the ordinary one of presenting to scholars highly significant results of current research that could not reach them through book-length publications for a long time.

Dig deeply into the files of this *Journal* and you will find the ideas which have nourished the growth of civilized society in reference to human relations. No one ever could have read it and afterward have used his talents for continued exploitation as humiliation of his fellow men. Here is scholarship. Here also, are conclusions that have helped to liberate men from fear and from those restraints which prevent full expression of intellectual and moral powers. This *Journal* has been the organ through which young scholars in this particular field have always been able to find encouragement Their contributions are published with a minimum of delay, and little of the impertinent demands one sometimes encounters from boards of editors. One finds in its pages a variety of articles quality-wise; but articles, never-the-less from the pens of nearly every man who was or became a mature scholar in the field.

Finally, the *Journal,* as no other, has running through it, from the first issue to the last, a perceptible and very significant emphasis upon moral judgments in the very area of our history where they are most essential. Men who read grow morally as well as intellectually. My congratulations and affectionate regards to the *Journal* and all who guide its destiny.

DWIGHT L. DUMOND

University of Michigan

It should, of course, not have been necessary for Carter Woodson to found the Association and the *Journal* as an appeal to the past for proof that colored Americans have demonstrated their claim to full, first-class citizenship, and to participating in all of American life without discrimination or limitation whatsoever.

The first, and in some sense still the official, statement of the American national purpose is to be found in the Declaration of Independence where "we hold these truths to be *self-evident*; that all men are *created* equal; that they are *endowed by their Creator* with certain *unalienable* rights."

No one is obligated to demonstrate that by his achievement he has finally come to deserve these rights and privileges. They come to Americans at birth. Only the Negro was put on probation for a century and required to *earn* these unalienable rights. That he has been required to prove his title to them, to demonstrate after years of struggle and privation his claim upon his lawful inheritance, is one of the gravest of national sins of which all too many Americans stand convicted.

But Dr. Woodson knew this, of course, and so does his able successor, William M. Brewer. Both were sufficiently grounded in American social history to grasp fully the unhappy fact that a nation as deeply conformitarian and as hostile to difference as ours is—a propensity that has been commented upon by America-watchers from de Tocqueville to the late A. M. Schlesinger, Sr.—is *par excellence* the home of stereotype.

The corollary is clear: war, war to the death, upon stereo-

type, upon old wives' tales, upon pseudo-scientific and pseudo-religious racist theories, upon the loaded statistic, the slanted historiography. I once heard a salty old cracker-barrel philosopher put it this way: "what a fellow is not up on, he's apt to be down on."

Historians of the future, when racial injustice has receded into the limbo of things an enlightened people prefers to forget—will find in the *Journal* one of the most effective of the instruments of public enlightenment that brought about the revolution in America's thought and attitudes on race. And this, not because the *Journal* directly reached the mass mind—for it never has. What it did was reach the historians and other scholars who write the textbooks, and train the teachers in our schools, from kindergarten to graduate school. It has reached the intellectual elite who eventually shape the national philosophy and the public pieties, who *mediately* mold the ideas of everyone who ever goes to school, or reads a book or magazine, who sees motion pictures, or goes to church. The *Journal* has never reached great numbers; it has reached small but critically important numbers who direct the opinion industries.

As one who himself has a debt to the *Journal* which he can never repay, I am happy to rejoice with others on the 50th anniversary of this quietly powerful civilizing instrument.

RICHARD BARDOLPH

University of North Carolina
Greensboro

One of the salutary consequences of the Second World War, as well as the two decades following that conflict, has been the new perspective they have brought to the United States on the Negro in general. He has been promoted in terms of popular, professional and national interest from the ranks of the neglected to a status and recognition more closely approximating that which his contributions and accomplishments long merited.

There is nothing accidental or temporary about the resulting situation. The long neglected problems of the Negro

will in the foreseeable future continue to demand a very significant share of our professional and national attention. Under these circumstances, it is right and proper to take note of a periodical which has from its inception in 1916 devoted itself exclusively to scholarly researches on the Negro. No one, I believe, will contest the assertion that in any long-range survey of the literature on the history of the Negro, *The Journal of Negro History* might well be regarded as the primary source. Indeed, I do not think I can be accused of exaggerating when I say that during the first fifty years of its life, virtually all significant work on Negro history has been initiated by, has appeared in, or has been reflected in, the *Journal.*

And now that it has reached the mid-century mark, it is very much in order to ask the question: How has the *Journal* embodied Negro historical activity for these fifty years? There are certain answers which will at once be obvious to those who are intimately familiar with the *Journal.* In the first place, it is generally agreed that high editorial standards were maintained for thirty-four years by its first editor, Carter G. Woodson, for one and one-half years by Rayford W. Logan, its second editor, and for the fourteen and one-half years of the present editorship by William M. Brewer. In the second place it is also agreed that a common core of interest, a faith if you please, has given the *Journal,* as well as the Association for the Study of Negro Life and History, a distinctly valuable focus and coherence. But above and over these rather obvious observations there remains the more difficult question: What are the significant contributions of the *Journal* to American historiography? I shall, therefore, mention only one and that is the emphasis the *Journal* has given to the period of sectional crisis. Both Negro and non-Negro historians who concern themselves with Negro history have long agreed on the necessity of finding and offering proof of the opposite interpretations of the Neo-Confederates "who wrote at length about the childish nature of Negroes as displayed during slavery, their cowardice and ineffectiveness during the Civil War, and their barbarity after emancipation." To the three editors of the *Journal* the task of exploding the myths of Negro history and of putting the Negro

in his rightful place in the history of this country assumed some of the characteristics of a crusade. This crusade, therefore, has consumed the greater portion of the pages of the *Journal* as well as the historical talent of Negro scholars the likes of Carter G. Woodson, Charles Wesley, Benjamin Quarles, John Hope Franklin, and William M. Brewer who were joined by distinguished non-Negro historians such as Harvey Wish, Richard Hoftstader, Kenneth Stampp, and Herbert Aptheker.

And as the *Journal* commences its fifty-first year of existence, it seems valid to expect that its contributions to American historiography to date to serve as some measure of the continuing challenge which the long, rich, and exciting life and history of the Negro presents.

FRENISE A. LOGAN

Kampala, Uganda

Historians are indebted to the Association for the Study of Negro Life and History for encouraging research and writing in an area of American history that long suffered perhaps as much from neglect as from distortion. In the historical writing of the early twentieth century the Negro, if he was considered at all, was usually treated as a passive figure: as an issue in the politics of the white man, or as an object affected by, but never affecting, the course of events. The one notable exception to this generalization is *The Journal of Negro History,* which long ago introduced the Negro as an active participant, a positive force, in the historical growth of the United States.

In recent years, as many young scholars have turned to the "new" field of Negro history, they have discovered in the files of this *Journal* an immensely valuable collection of suggestive articles and critical reviews. Some of the earliest revisions of traditional interpretations of southern Negro slavery, of the antislavery crusade, and of the era of Reconstruction can be found in its pages. The roles of important Negro leaders and of various Negro organizations have been described and evaluated here.

The Journal of Negro History has performed an indispensable service for all who are interested in the study of American history. May it prosper in the years ahead!

KENNETH M. STAMPP

University of California, Berkeley

Charles A. Beard entitled his Presidential Address before the American Historical Association "Written History As An Act of Faith." Though not in the same sense as Beard, Carter Woodson founded on faith *The Journal of Negro History* in the twilight hours of the crumbling philosophy of accommodation and gradualism symbolized in the monopoly Booker Washington enjoyed in Negro leadership and the ruthlessness of the Tuskegee machine. In the personal and symbolic confrontation of Woodson with the Caesarism of raw race and power to which the 20th Century gave early ideological promise, he rejected the shallow, mindless intemperateness of activism, intuitively sensing that the quest of his people for human dignity was in a very real sense a quest for roots and identity. His social engineering was rightly aimed at the task of rebuilding the human spirit if the human condition of the masses of his people was to be fundamentally improved.

Rejecting the easy temptation of the propagandist to shape his instrument of combat to fit the Napoleonic dicta for history, "a pack of lies agreed upon," Woodson placed his faith in scientific research, rather than "perpetually indignant and passionate agitation against wrong . . . " To combat the practices which diminished the Negro's humanity and made him seem an inferior being, Woodson had faith that he could fight on two fronts. He would give his people the psychological lift of knowing authentic heroes and thus break the mental bounds of personal acquiescence to their own degradation; and he could at the same time give the lie to those who marshalled pseudo science to forge the chains of his peoples' bondage.

Woodson's faith soared to much higher levels than the purely utilitarian plateau of an instrument of pragmatic social psychology advocated by some of the great in German

historical scholarship. He dared believe and practice the notion that the history of black men was a fit subject for serious scholarship. This was a natural step from his basic assumption that the history of black men was a legitimate part of the history of mankind; and that to think otherwise was not only a disservice to black men, but also a disservice to the whole field of history. The *Journal* was founded on that faith and across its pages there is a testimony to high scholarship and universality despite the fact that the word "Negro" appears in the title. And last, but by no means least, Woodson believed that the *Journal* could be a forum for the scholarly interest of all men, regardless to race, creed, or color—that the history of black men could create and foster an interracial and intercultural community of scholarly interest throughout and beyond this land of ours. He conceived of no narrow chauvinistic property rights in the history of black men for black men. The *Journal* has become the nursery of the scholarship of the young and a custodian of the best thoughts of the mature of all races, creeds, and colors in history and its many allied disciplines. Woodson placed his faith in the word of truth—as men in western civilization have taught themselves to arrive at truth—"and the word became flesh...."

George Ruble Woolfolk

Prairie View A & M College

"Where there is no vision the people perish." This statement is probably not more effectively demonstrated than in the case of a man called Carter G. Woodson. Born of parents who had both been slaves and reared in a large family that knew the deprivations of both poverty and of belonging to a minority group, young Carter had a flaming vision of the advantages of an education. After many years of hard endeavor and intensity of purpose, Carter achieved his goal. It was a long step from the little school house of his childhood that was open only five months a year to the University of Chicago where he received his A.B. and M.A. degrees and to Harvard University where he received his Ph.D. in history and political science.

But Carter was not yet satisfied. Imbued with a "divine discontent," he saw millions of black boys and girls not only in the United States but in other lands as well and millions of black adults who knew nothing of the present and past contributions of the Negro to the progress of mankind. Carter and his compeers had a vision of the time when these millions of people would be happily aware of their glorious past and their contribution to the intellectual, social, economic, and spiritual history of the world. And thus, he, with a dedicated group of men and women, to effect this dream, founded the Association for the Study of Negro Life and History in Chicago in 1915.

The next year, 1916, the Association published the first issue of *The Journal of Negro History.* Ten years later in 1926 the Association originated Negro History Week, and eleven years later in 1937 it brought out *The Negro History Bulletin.*

The *Journal* immediately established its position on the same intellectual plateau as that of other similar journals and was accepted as a welcome newcomer in journalism equal in the techniques of scholarly research to those of other journals of like kin. With painstaking art and untiring zeal the contributors to this journal have guided its readers through the realms of history, economics, politics, sociology, science, music, art, and other areas of learning until the eyes of both blacks and whites have been pleasantly opened to the little-known achievements of black men not only in the United States but in foreign lands as well.

The Greek satirist Lucian in the second century A.D. said in his *The Way to Write History* that "facts are not to be collected at haphazard, but with careful, laborious, repeated investigation." The editors of the *Journal* from its beginning to the present have met this high standard of scholarship.

Today, the Editor, William M. Brewer, and his associates are still expanding the intellectual and spiritual horizons of men of all races. For this fact the Negro of 1966 is humbly proud and sincerely grateful.

EVA B. DYKES

Oakwood College

Fifty years ago when the first *Journal* appeared, Americans, fearful of their nation's future, were anxious about immigration and uneasy about the Negro. Reneging earlier on their brief commitment to equality, they had relegated him to second-class citizenship and condemned him to inferiority, denied him constitutional rights and deprived him of human dignity! What the nation did and believed, American historical writing confirmed and justified. The Negro's past, neglected by most historians, was primarily the concern of scholars of the Civil War and Reconstruction, and they blamed the black man, rather than the white man, for the nation's failure. Heirs of John Burgess and William Dunning, they assumed Negro inferiority, lamented the extension of civil rights to the freedman, and criticized efforts to reconstruct southern society. Rejoicing in sectional reconciliation, they elevated to statesmanship the sacrifice of America's newer citizens on the altar of peace and prosperity.

Against these dominant views, the fledgling *Journal* took its stand. It encouraged authors to reexamine the recent past, to correct Dunning and Burgess, to investigate all of Negro history, to rediscover neglected portions of the national experience. Thriving during the years when racial discrimination slowly came to trouble American liberalism, the *JNH* contributed to the gradual reinterpretation of American history. It published reappraisals of slavery, fresh views of the antebellum South, and new examinations of Negro contributions to American life.

On the fiftieth anniversary of the *Journal,* the reshaping and reinterpretation of the Negro's history continues at a more rapid pace. Fields once thought exhausted are again proving fertile, yielding even richer harvests. The bold and brilliant work in the last decade of C. Vann Woodward, the efforts of his students, like James McPherson and Willie Lee Rose, and the probing reconsiderations by young men like Martin Duberman and Eugene Genovese have suggested new interpretations, new perspectives, new possibilities for understanding the Negro's place in the American past and new opportunities for *The Journal of Negro History.*

BARTON J. BERNSTEIN

Stanford University

ON REVISING RECONSTRUCTION HISTORY: NEGRO SUFFRAGE, WHITE DISFRANCHISEMENT, AND COMMON SENSE

One of the most continuous and pertinacious themes of Reconstruction history is the notion that the Radical control of the South was based on a broad, ill-gotten electorate made up largely of Negroes. While scholars have made some inroads in challenging this interpretation,[1] a great deal of additional research needs to be done before any definitive revision can be made. Compounding the difficulty is the fact that many of the vital statistics are incomplete, thus the historical record may never be conclusive.

In the meantime, the traditional view—a view more compatible with sectional loyalties and romantic myths—lingers. Predicated on the assumption that vast numbers of Negroes were enfranchised while thousands of southern whites were being denied the ballot, it holds that a Radical Congress overthrew without cause the legitimate state governments established in the immediate post-war period. Negro suffrage and southern white disfranchisement, the tradition goes, were the twin keys to the success of the carpetbag governments. It was bellowed from both North and South during the Reconstruction; and historians of almost all persuasions have perpetuated it ever since. One student has asserted that "white majorities were cut down or wiped out entirely,"[2] a view repeated so frequently that few have dared to question it. That such universal opinion could be based on such tenuous and fragmentary evidence is one of the enigmas of Reconstruction history.

According to the Eighth Census (1860), two southern states—South Carolina and Mississippi—had Negro majori-

[1] Of the several revisionist studies, two of the best are: John Hope Franklin, *Reconstruction: After the Civil War* (Chicago, 1961); and, Kenneth M. Stampp, *The Era of Reconstruction, 1865-1877* (New York, 1965). Both works, while pointing to the accomplishments and failures of these years, suggest that the South was more a victim of its own inertia than any Radical conspiracy.

[2] William A. Russ, Jr., "Registration and Disfranchisement under Radical Reconstruction," *Mississippi Valley Historical Review*, XXI, 2 (September, 1934), pp. 163-180. See also, Russ, "The Negro and White Disfranchisement during Radical Reconstruction," *Journal of Negro History*, XIX, 2 (April, 1934), pp. 171-192.

ties. By 1870, Louisiana probably became the third.[3] The Negro percentages of the populations in the other southern states in 1870 ranged from 48.8 in Florida to 25.2 in Arkansas. Three of them—Alabama, Georgia, and Virginia—had, like Florida, populations that were over 40 per cent Negro.[4] It was obvious from the outset that any plan to enfranchise the freedmen, unlike suffrage proposals in the North, would involve vast numbers of blacks. In giving the ballot to 800,000 ex-slaves, one northern critic lamented, "considerations of mere temporary expediency, of mere party advantage, fall paralyzed to the ground." We in the North, refusing to grant impartial suffrage in our own states, force it upon others "by the bushel." "A little retail negro suffrage here, where it can do little harm, is denied," Congressman Samuel Sullivan Cox observed; "wholesale negro suffrage there is enforced where it is supreme."[5]

According to most critics, the freedman's appalling ignorance would destroy the democratic process in the South. Many ex-slaves, they complained, had never heard of the candidates they were asked to support. Others allegedly could not identify their home county or give their exact ages. A few critics went so far as to claim that some freedmen were of such low intelligence that they had trouble remembering their own names. After interviewing an illiterate field hand in Georgia, a northern traveler regretfully conceded that this man represented the lowest intelligence "among that class on whom it is proposed to confer the right of suffrage." As Tennessee's Governor Brownlow put it: impartial suffrage would "open the ballot-box to the uninformed and exceedingly stupid slaves of the Southern cotton, rice and sugar fields."[6] While the governor was obviously referring to the

[3] The Ninth Census (1870) showed a fractional Negro majority in Louisiana, but an admitted undercount for both races makes a precise determination impossible.

[4] United States Bureau of the Census, Department of Commerce, *Negro Population, 1790-1915* (Washington, D. C., 1918), pp. 25-27.

[5] Thomas W. Hartley, *Universal Suffrage-Female Suffrage* ([New York], 1867), pp. 26-28; Samuel Sullivan Cox, *Speeches of Hon. S. S. Cox, in Maine, Pennsylvania and New York, during the Campaign of 1868* (New York, 1868), p. 7.

[6] Whitelaw Reid, *After the War: A Southern Tour, May 1, 1865 to May 1, 1866* (New York, 1866), p. 371; *The American Annual Cyclopedia and Register of Important Events* (84 vols., New York, 1870-1903), 1865, p. 781.

Negroes of the Black Belt, he was not overlooking the presumed dangers of impartial suffrage in his own state. There was no doubt, of course, that the ignorance of the vast majority of the freedmen was staggering; thus most whites, without considering the causes of or the remedies for that ignorance, concluded that Negro suffrage would lead to the absolute ruin of the South. As a northern poet put it:

'Cause now I'se got de franchise
Dough I neber goed to school,
And if Massah Bullock's 'lected,
I gits forty acres and a mule![7]

For a variety of reasons, there was an almost ingenuous confidence among white Southerners that northern public opinion would not permit the Congress to force Negro suffrage on the South. The truculent words of northern racists were reassuring. "[J]udging by myself, and comparing the limited extent of my prejudice against the colored race with that of the generality of the Northern people," one writer sanctimoniously declared, "I do not believe that the people of the North will allow large armies to be raised for any such unfair and oppressive purpose."[8] More important, the returns from the state elections in the North seemed to justify this optimism. To be sure, the Democratic party's surprising show of strength in such Republican strongholds as Maine, New Hampshire, and Minnesota was especially encouraging. A month after the elections of 1867, white conservatives in Little Rock, Arkansas, pledged to "preserve the principles of the national Constitution by co-operating with the Democratic party of the Union." "In view of the astonishing results of the recent elections in different portions of the Union," they added, "the voices of the Democratic and Conservative masses of the North call upon us to assist in defeating the attempt of radicalism to destroy our old constitutional government and set up in its place one in which others than white men shall have the controlling influence." Democrats in Louisiana met in the following year and, on the

[7] La Crosse *Democrat*, May 12, 1868.

[8] William Archibald Dunning, *Essays on the Civil War and Reconstruction and Related Topics* (New York, 1898), pp. 189-190; Hartley, *Universal Suffrage-Female Suffrage*, p. 32.

basis of the same elections, expressed confidence that northern Democrats and conservatives would not let them down.[9]

Nevertheless, other southern whites, less optimistic than their neighbors and refusing to take heart from northern elections, displayed genuine fear over possible Negro enfranchisement. In fact, there were signs during the early months of Radical Reconstruction that some of them, sensing the inevitable, hoped to capitalize on the black vote and recruit it for their own purposes. While such moves never amounted to much, they did suggest an attempt to make the most of what seemed to be an intolerable but unavoidable development. In 1879, Wade Hampton, a former Confederate general and later governor of South Carolina and a United States Senator, boasted that he had been the first white man in the South to recommend Negro suffrage, and that many "intelligent and reflecting whites" had agreed with him.[10] Hampton was only guessing, of course. In February, 1866, a Texas conservative had offered his state a sweeping plan, including three alternatives, for extending the ballot to the Negro.[11] Seven months later, John H. Reagan, former Postmaster-General of the Confederacy, wrote to Governor Throckmorton of Texas and urged him to consider limited Negro suffrage in order to guarantee white supremacy. Otherwise, he insisted, the Radicals would force mass Negro suffrage on the state.[12] Nonetheless, Hampton's boast that other whites agreed with him, though misleading, was true.

Attempts by southern conservatives to exploit the Negro vote, of course, were examples of political expediency rather

[9] New York *Herald*, November 6, 9, 1867; *Ann. Cyc.*: 1867, p. 55; 1868, p. 432.

[10] Robert Selph Henry, *The Story of Reconstruction* (New York, 1938), p. 253; C. Vann Woodward, *The Strange Career of Jim Crow* (revised, New York, 1957), p. 34.

[11] E. Degener, *The Minority Report in Favor of Extending the Right of Suffrage, with Certain Limitations, to All Men without Distinction of Race or Color Made in the Texas Reconstruction Convention* (Austin, Tex., February 24, 1866). The three plans were: universal suffrage by the end of 1866; universal suffrage by the end of 1876; and universal suffrage to all "born free" by 1866. The convention refused to consider any of the plans.

[12] The letter set off a storm of controversy among several Democratic editors in the North. See especially Columbus *Crisis*, November 21, December 5, 1866; New York *World*, November 19, 20, 1866.

than a genuine concern for the freedman's civil rights. The idea of using the ex-slaves to check the economic encroachments of poor whites and the countermoves of political enemies must have appealed to more than a few former slaveowners. If Negroes are granted the ballot, a northern writer predicted, "I for one should not at all be surprised to see the great majority of them voting the ticket of their masters." Governor Brownlow recommended the forced removal of all the Negroes in his state to a separate territory because "the great majority of them would be influenced by leading secessionists to vote against the Government, as they would be largely under the influence of this class of men for years to come, having to reside on and cultivate their lands."[13]

Though not always including an endorsement of suffrage, white conservatives did occasionally express sympathy for the freedmen. In December, 1867, delegates to a meeting in Richmond, Virginia, resolved to do all that they could for the Negroes, insisting, however, that the ballot belonged in the hands of the whites only. Conservatives in South Carolina, where Negroes outnumbered whites by three to two, were much more generous and expressed a willingness, "when we have the power," to grant the Negroes, "under proper qualifications as to property and intelligence, the right of suffrage." Even with these ambiguous conditions, the statement was surprising. A short time later, Democrats in Texas announced a desire to see all the freedmen protected by the laws of the state. Pleading for the restoration of white rule, the Democratic State Central Committee of Louisiana even asked the Negro leaders of their state for support.[14]

While predictions of a Negro-supported white conservative oligarchy were certainly exaggerated, they were menacing enough to frighten northern Negro leaders who saw in them a Republican excuse for backing down. In July, 1865, delegates to a convention of colored men in Philadelphia insisted

[13] Hartley, *Universal Suffrage-Female Suffrage*, p. 35; New York *World*, April 3, 20, 1867; *Ann. Cyc.*, 1865, p. 781.

[14] *Ann. Cyc.*: 1867, p. 763; 1868, pp. 696, 731; 1870, p. 457. T. Harry Williams, "An Analysis of Some Reconstruction Attitudes," *Journal of Southern History*, XII, 4 (November, 1946), pp. 474, 476-479, argues that this view has been exaggerated and that the planter class, as a whole, opposed Negro suffrage under any conditions.

that there was absolutely no basis for the suspicion that former slaveowners would control the southern Negro's vote. The Negro cannot be made to do, "now that he is free, what he could not be forced to do when a slave," the convention proclaimed. As to the charge that the Negro's gross ignorance would corrupt the ballot and make him the tool of a beguiling white Southerner, the delegates pointed to that class of poor whites exploited by the racists and resolved: "That the apparent anxiety to preserve the ballot-box from the influence of the ignorance of the colored man is proved, by the class of [white] men invited and urged to the polls at every election, to be but a hypocritical and malignant subterfuge." In short, those who most feared a white planter oligarchy based on a manipulated uneducated Negro electorate were themselves exploiters of hatred, prejudice, and ignorance.[15]

Since southern Negroes had majorities in at most three states, impartial suffrage in the South involved more than simply enfranchising the freedmen. According to the traditional interpretation of Reconstruction history, Radical Republicans hoped to disfranchise thousands of southern whites, a move that would easily create black majorities in Alabama, Florida, Georgia, and Virginia. Theoretically, this would add fourteen men to the United States Senate who, representing Negro majorities, could obstruct any legislation; or voting with the Radical senators from the northern states, pass any bill. To the white Southerner the outlook must have seemed, at best, grim, and, at worst, catastrophic.

Suggestions of mass disfranchisements had first appeared during the war when certain congressmen had proposed test oaths for southern whites as a condition for the reinstatement of civil rights.[16] After Appomattox, what began as a remote suspicion became a genuine fear, at least among the most fanatical opponents of the government. On Saturday morning, April 15, 1865, a few hours after Lincoln's death, a

[15] *Ann. Cyc.*, 1865, p. 694.

[16] One student, Harold M. Hyman, *Era of the Oath: Northern Loyalty Tests During the Civil War and Reconstruction* (Philadelphia, 1954), has concluded that the oaths generally were ineffective, thus further deflating the argument that vast numbers of ex-Confederates were excluded from government. Moreover, it must be remembered that it was Andrew Johnson's wholesale distribution of pardons to former rebel officials that triggered a great deal of the congressional resistance.

Copperhead extremist savagely denounced an alleged abolitionist plot to secure "Nigger Supremacy" by disfranchising southern whites. It is not just a matter of a few thousand, he complained. On the contrary, Frederick Douglass and Horace Greeley are determined to enfranchise *all* blacks and disfranchise *all* whites. After military reconstruction began in 1867, many whites were certain that their original fears had been justified. The venomous La Crosse *Democrat* attacked the "black niggers from the cotton fields and the white niggers from New England" for stealing the ballot from respectable white Southerners and giving it to illiterate blacks. In a separate pamphlet, *Democrat* editor Marcus Mills "Brick" Pomeroy accused the Radicals of encouraging multiple registration among the freedmen. "[T]he hideous villainy of the reconstruction infamy lies, not in giving the negroes suffrage," the Chicago *Times* lamented in the summer of 1868, "but in disfranchising white men and so legislating as to give the negro party ascendancy." In the South, of course, white conservatives were convinced that mass disfranchisement was an accomplished fact.[17] Thus did the extremist critics of the government propagate a notion that has lingered for a century.

In truth, the fear of white disfranchisements may have been the most exaggerated reaction of the entire Reconstruction era. Since the Radicals *did* overthrow the white conservative state governments that had been set up under the Johnson Reconstruction program, most alarmed observers carelessly concluded that there *must* have been mass disfranchisements. But their conclusions—as well as those of many since—simply

[17] New York *Weekly Day Book*, April 15, 1965; La Crosse *Democrat*, February 25, 1868; [Marcus Mills Pomeroy], *Condensed History of the War, Its Causes and Results: Plain Home-Told Facts for the Young Men and Working Men of the United States* (n.p., 1868), p. 11; Chicago *Times*, July 15, 1868; Edward A. Pollard, *The Lost Cause Regained* (New York, 1868), pp. 37-39. A few alarmists even predicted the disfranchisement of northern whites. On July 23, 1868, Congressman S. S. Cox asked a Brooklyn audience: "If Congress can overturn white suffrage South, can it not establish black suffrage North, and withhold it from the whites? If the States South have not the sovereignty power in this regard, have the States North?" A few days later, editor Wilbur Storey of the Chicago *Times* named one Anthony O. Hesing as the leader of a drive, already in progress, to disfranchise northern whites. See Cox, *Speeches of 1868*, p. 7; and, Chicago *Times*, July 29, 1868.

do not stand up after a careful examination of the evidence; and, where the evidence is scanty or nonexistent, they do not pass the test of common sense. Known disfranchisement statistics, pertaining only to the preliminary elections held under the Reconstruction Acts of 1867, are available for five states—Virginia, North Carolina, South Carolina, Georgia, and Florida—and in all five, white disfranchisements *did not* give Negro voters a majority![18] South Carolina and Florida were the only states with more registered Negroes than whites. In the former state the whites, with slightly over 40 per cent of the total population, were in the minority to begin with, thus the disfranchisements were hardly necessary to insure a "Negro ascendancy." While it was true that registered Negroes in Florida outnumbered registered whites by a substantial amount, the total number actually disfranchised was so small that, after Negro disfranchisements were subtracted, there was a net loss of only one hundred and fifty white registrations.[19]

In the other three states for which statistics are available, the registered whites retained their majorities in spite of the disfranchisements. Over 16,000 were disfranchised in Virginia, but the whites retained their majority by over 14,000. Registered whites in North Carolina outnumbered registered Negroes by a wide margin: 34,000 out of a total of 179,000 registrations. Oddly, Georgia provided what was probably the best rebuttal to the charge that the Radicals disfranchised whites for the sole purpose of guaranteeing a Negro majority. Though 10,500 were denied the ballot, whites nonetheless retained a narrow margin of slightly over 1,000 voters

[18] Russ, *MVHR*, pp. 178-179, cites *Letter Book*, First [Military] District, II, pp. 261-262, for the figures on Virginia, and *Senate Executive Document*, 40 Cong., 2 Sess., No. 53, for the statistics on North Carolina, South Carolina, Georgia, and Florida. These are the standard sources and are quoted in several works: see David G. Croly, *Seymour and Blair, Their Lives and Services: with an Appendix Containing a History of Reconstruction* (New York, 1868), p. 277 of appendices; and, Edward McPherson (ed.), *The Political History of the United States of America during the Period of Reconstruction, from April 15, 1865 to July 15, 1870* (Washington, D.C., 1880), p. 374.

[19] The exact figures are: South Carolina: white registrations, 46,882; Negro registrations, 80,550; white disfranchisements, 8,244; Negro disfranchisements, 625. Florida: white registrations, 11,914; Negro registrations, 16,089; white disfranchisements, 350; Negro disfranchisements, 200.

out of almost 200,000 registrations. If the Radicals had been determined to insure a Negro majority in this state, they could have done so easily by merely disfranchising 1,000 more whites—but they did no such thing. In addition, critics of the government almost always ignored the fact that Negroes were also disfranchised—1,118 in the Carolinas—usually for serious crimes. In short, in at least half of the ten reconstructed states, the disfranchisement of white voters did not create Negro majorities.[20]

The argument does not end here. In the five states where disfranchisements were not recorded, the registrations alone are revealing. Louisiana and Mississippi had registered Negro majorities, but since Mississippi and probably Louisiana had more Negroes than whites to begin with, this should not have been surprising. As in South Carolina, disfranchisements were not "necesssary." In Texas and Arkansas the situations were similar to those in Virginia, North Carolina, and Georgia; the white voters retained registered majorities in spite of alleged disfranchisements. Only in Alabama, where the freedmen constituted slightly less than half of the total population (47.7 per cent in 1870), did the figures suggest that disfranchisements could have created a black majority. Here, Negroes had a five to three margin in voter registrations. Yet to get such a result, the Radicals would have had to disfranchise over 60,000 whites. For them to have gone to such lengths is difficult to believe because they could have had the same result—a simple Negro majority—by merely disfranchising a few thousand whites. Thus the traditional complaint loses much of its force for the only state where it made any sense in the first place.[21]

An example of how much guess-work has been involved in

[20] The exact figures are: Virginia: white registrations, 120,101; Negro registrations, 105,832; white disfranchisements, 16,343; Negro disfranchisements, none recorded. North Carolina: white registrations, 106,721; Negro registrations, 72,932; white disfranchisements, 11,688; Negro disfranchisements, 493. Georgia: white registrations, 96,333; Negro registrations, 95,168;; white disfranchisements, 10,500; Negro disfranchisements, none recorded.

[21] The exact figures are: Alabama: white registrations, 61,295; Negro registrations, 104,418. Arkansas: white registrations, 43,470; Negro registrations, 23,261. Louisiana: white registrations, 45,218; Negro registrations, 84,436. Mississippi: white registrations, 59,330; Negro registrations, 80,360. Texas: white registrations, 59, 633; Negro registrations, 49,497.

the standard view of Reconstruction history can be seen by simply adding the known disfranchisements under the Reconstruction Acts. They total 47,125 for five states; yet many sources, estimating for all ten states, cite a number far higher —some as high as 200,000.[22] A look at the figures makes these guesses seem rather absurd. The five states with recorded disfranchisements accounted for 53 per cent of the total southern white population, including the three largest states. If one merely doubled the known disfranchisements to account for the other five states, the total is considerably less than 100,000. A computation based on the state with the most known disfranchisements would result in an overall estimate of 97,000. Or one based on the state with the highest percentage of known disfranchisements would be about 108,000. In short, no matter how the figures are juggled, they strongly suggest that both the contemporary estimates and the guesses that many have made since were gross exaggerations.

This is not to say that disfranchisements were not significant in the carpetbag control of the South. The difficulty lies in the fact that the statistics are very meager and apply only to the preliminary elections under the Reconstruction Acts. Moreover, there is no guarantee that the existing facts are accurate. After all, the military districts were instruments of the Congress; it may not have been politically expedient to advertise in the North the fact that large numbers of whites were being disfranchised in the South. The fact that five states failed to record any disfranchisements is itself enough to make one suspicious of the figures that do exist. In addition, the figures for Florida and Georgia, since they were so conveniently rounded off, are especially suspect. In other words, the test of "common sense" works both ways.

It also needs to be pointed out that subsequent state and local elections provided many additional opportunities for the Radicals to improve their political positions (or for the conservatives to undermine them); and Congress took it upon itself to deny the ballot to former rebel officials, though certainly not on a massive scale. In any case, the point is not that there were few disfranchisements, but that the critic

[22] For example, see: Michael Martin and Leonard Gelber (eds.), *Dictionary of American History* (Paterson, New Jersey, 1959), p. 518.

of the government had so little real evidence on which to base his complaints and thus that much of the contemporary and subsequent criticism of the Radicals is groundless. Indeed, it is far safer to say that there was no widespread, permanent disfranchisement in the South until late in the nineteenth century when white conservative state governments began the mass disfranchisement of Negroes.

A far more credible explanation of both the registration and disfranchisement figures and the subsequent course of southern politics is that the white people of the South lost control of their state governments by refusing to register; or, in some cases, after registering, refusing to vote.[23] They wallowed in self-pity and whined over the odious Radical grip from Congress when they should have been blaming themselves—a reaction that had plenty of eyewitnesses. As arrangements were being made for the various state constitutional conventions under the Reconstruction Acts, the editor of the Charlottesville (Virginia) *Chronicle* bitterly criticized those white Southerners who, "sullen and discontented," had declared they would refuse to register. Their announcement that they "would prefer military government to negro suffrage" was based on a delusion. The only way to guarantee white control, he insisted, was for all eligible white men to register and vote.[24]

The southern boycott was also obvious to Northerners, including some of the same Copperheads who complained of mass disfranchisements. The editor of the Columbus *Crisis,* an avowed opponent of Radical Reconstruction, denounced those Southerners who, "paralyzed by supineness," were just as responsible for the detestable carpetbag governments as the enfranchised blacks. By organizing on Democratic principles, he insisted, the southern whites could easily cast off the Radical-Negro yoke—but they refuse to do so. In Congress, Senator Aaron H. Cragin, Republican from New Hampshire, cited the results of the constitutional referendums in nine of

[23] This latter situation was motivated largely by the fact that, under the first Reconstruction Act, it was easier to defeat a proposed Radical state constitution by registering and not voting than by not registering or by registering and voting against it. A supplementary bill quickly changed this practice.

[24] Charlottesville *Chronicle,* June 18, 1867.

the ten reconstructed states to show that it was the white voters, and not the Negroes, who were responsible for the new state governments. While many southern whites apparently supported the Radical programs, most did nothing. Though it was within their power to control the elections, Cragin concluded, they nevertheless refused to register: "If a man sleep upon his rights shall he complain if he lose them?"[25] Indignation and apathy, not disfranchisements, were major deterrents to white voter registration in the South. Many whites were either defiant or they simply did not care. In either case, they forfeited their right to self-government by keeping their names off the registration rolls or refusing to vote.

There were several reasons for the political abdication of the southern white conservative, some so obvious that critics frequently overlooked them. For example, many whites simply could not accept the idea of standing alongside a Negro—perhaps one of their own former slaves—at the polls. "God save the people of the South," a northern congressman cried, "from the depredations by which they would be obliged to go to the polls and vote side by side with the negro." In addition, the continuous racist reference to the "savage African" certainly frightened many. One observer conceded that most "white voters deny themselves the franchise, rather than be brought in collision at the polls with a race whose savage fiendishness is well known, and whose weapon of defence is a 'razor.'" Some stayed away from the polls in order to avoid an implied recognition of racial equality; while the refusal to register was, for still others, simply an act of protest. To show their contempt for the Radicals, they decided to disassociate themesleves completely from all things related to Reconstruction.[26]

More generally, the feeling of humiliation and disillusionment shared by most white Southerners was extremely im-

[25] Columbus *Crisis*, April 1, 1868; Congressional *Globe*, 40 Cong., 2 Sess., January 30, 1868, pp. 849-850.

[26] Marion Mills Miller (ed.), *Great Debates in American History* (14 vols., New York, 1913), VII, p. 440, quoting Congressman Andrew Jackson Rogers, Democrat of New Jersey; J. R. Hayes, *Negrophobia "On the Brain,"* in *White Men, or an Essay upon the Origin and Progress, both Mental and Physical, of the Negro Race, and the Use to be Made of Him by Politicians in the United States*

portant. Surrounded by the ruins of war, disenchanted over the "Lost Cause," stunned by the presence of an army of occupation, and reluctant—after putting their faith in men who had led them into a disastrous war—to become involved in politics and government, many southern whites, like General Lee, decided to refrain from participation in political affairs. A defeated, war-weary population, faced with the monumental task of rebuilding a ravaged countryside, had no time for the luxury of partisan politics and, as Howard K. Beale has observed, "remained politically indifferent through the various turns of political fortune."[27] In short, the southern white man, while complaining of mass disfranchisements, surrendered the right to control his own affairs. It must have been quite obvious from the beginning that the Radicals were going to have things their way; and that the establishment of military districts indicated that they were going to depend on federal bayonets, not Negro voters. Had southern whites turned out in force, it is probable that the Radicals would have resorted to the most obvious expedient: simply secure the disfranchisement of more whites. This probability may have discouraged many from even bothering to make the trek to the registration office. But the existence of such an apprehension, however justified, while it served as a convenient excuse, cannot detract from the fact that many southern whites did not even try and thus were guilty of complicity in their own misery.

One of the reasons for the durability of the traditional version of Reconstruction history is the customary political habit of defining one's terms to suit one's purposes—and the post-war opponent of the government was no exception. Northern and southern critics, despite their obvious sincerity, based their complaints of Negro political domination on some rather illusory arguments. To begin with, they defined "majority" in a peculiar way. As they put it, the freedmen did not need a numerical majority in order to enjoy a political majority. Rather, if the total number of *eligible* Negro voters

(Washington, D. C., 1869), pp. 6-7. William A. Russ, Jr., *MVHR*, pp. 178-179, agrees that there were many who, after registering, refused to vote.

[27] Howard K. Beale, "On Rewriting Reconstruction History," *American Historical Review*, XLV, 4 (July, 1940), p. 814.

was greater than the difference in the number cast for each party, the Negroes had a "majority." By selling their votes to the candidate who promised them the most, and by voting as a bloc, the ex-slaves presumably would have the balance of power. Strangely, few defenders of the Radical program challenged this definition.

Though inherently false, such nebulous thinking appeared again and again in complaints against the government's reconstruction policies. Congressman Daniel Voorhees, a staunch Indiana racist, claimed that seventy electoral votes from the Negro-dominated South could decide a presidential election, regardless of the vote in the North. "The negroes of Georgia, in their dense barbarity, are to out vote the freemen of Indiana in the choice of a chief magistrate," he lamented. "The negro on the levees of the Mississippi is to drown the voice of the intelligent farmer of the North. . . . [T]he negro shall make the next President." Speaking before the Jackson Central Association in New York City, Horatio Seymour, disregarding the fact that senators represented states rather than populations, declared that "you cannot give three millions of negroes more Senators than are allowed to fifteen millions of white men living in New York, Pennsylvania, Ohio, Illinois, Indiana, Wisconsin, Iowa, Kentucky, Missouri, and Michigan."[28] Since the ten southern states would have the *same* number of senators as any ten northern states, Seymour apparently ignored his listeners' ability to multiply ten times two. Speaking strictly in terms of proportion, Seymour was technically correct. But this basis of representation has been true of all senators since the adoption of the Constitution. The Governor's reference to it was obviously little more than a specious attempt to excite and distort.

To the really zealous critic, mathematical deception was an art. With a bewildering display of clamorous histrionics, Francis P. Blair, Jr., tried to show how a few million

[28] Columbus *Crisis*, October 29, 1868; Democratic Party, Indiana, *Proceedings of the Indiana Democratic State Convention, held in Indianpolis, Wednesday, January 8th, 1868* (Indianapolis, 1868), pp. 25-26; James D. McCabe, Jr., *The Life and Public Services of Horatio Seymour: Together with a Complete and Authentic Life of Francis P. Blair, Jr.* (New York, 1868), p. 222.

freedmen would have more congressmen than twenty million whites. On another occasion he attacked the Reconstruction Acts for allegedly making "three millions of ignorant negroes . . . supreme over six million of the white race in the South." The congressmen and electoral votes controlled by the Radical-led ex-slaves are "relied upon to overcome the majority against the Radicals in the North, and enable a minority to control a majority in both sections."[29] In short, Blair contended that two minorities, when added together, would outvote two majorities. Other critics, through speeches, editorials, pamphlets, and articles hammered away at this theme so relentlessly that few dared to challenge them.[30]

The Negroes of the South, of course, "dominated" no state or national election, a fact that has been obvious to anyone who has looked beyond the façade of racist rhetoric. References, both graphic and verbal, to the legislatures of South Carolina and Louisiana have appeared with such regularity that one is left with the impression that all of the reconstructed states were so organized and that black legislators recently freed from slavery controlled them. Yet, even in the five states where Negroes had registered majorities, whites retained virtually all important positions of leadership and made almost all major decisions. Moreover, Negroes who held local or minor offices usually did so at the pleasure of a white official; while the handful who did hold important positions generally served with distinction. As a prominent southern editor admitted, "leaders of the Radical party, with professions of Negro suffrage hot in their mouths, have been sending advice to the Southern Conventions that Negroes should not run for Congress, or aspire to any conspicuous office; that they should be satisfied to fill the lowest seat in

[29] Chicago *Times*, August 8, 1868; McCabe, *Life and Public Services of Horatio Seymour*, pp. 460-461, 487-497.

[30] *Ann. Cyc.*, 1868, p. 495; Columbus *Crisis*, October 23, 1867; Philadelphia *Ase:* April 2, May 17, 19, 25, June 13, 20, 1866; March 8, 1867; September 23, 1868; New York *Herald*, September 9, 1867, February 7, 1868; Detroit *Free Press*, August 11, 30, 1867; New York *World*, July 12, 1868; La Crosse *Democrat*, February 26, 1868; S. S. Cox, *Speeches of 1868*, p. 11; Horatio Seymour, *Public Record: Including Speeches, Messages, Proclamations, Official Correspondence, and Other Public Utterances of Horatio Seymour; from the Campaign of 1856 to the Present Time* (New York, 1868), p. 300; McCabe, *Life and Public Services of Horatio Seymour*, pp. 460-461.

political synagogues.''[31] Carpetbaggers in South Carolina, a northern traveler observed, were beginning to fear the Negro's desire for public office. As the white supremacist La Crosse *Democrat's* ''De Intelligent Woter'' put it: ''Dis ijee ob nigro suprimecy is gittin' intirely too much feared an' talked ob and even de Ripublicans was beginning to be scared on it, too.''[32]

The critic's ''balance of power'' definition only made sense in a state where the parties were evenly divided and a substantial number of Negroes could be counted on to vote together—which was nowhere. A carpetbag congressman from Mississippi complained that the southern Negroes frequently were unpredictable as a political bloc. If the racist's specious definition of majority was valid, he argued, the Negroes of New York could have decided some presidential elections.[33]

In short, there was never any danger that the southern state governments would fall under the control of the Negroes, a fact strikingly underlined by the speed with which white conservatives regained control when they took the initiative. Tennessee, restored to the Union before military reconstruction had begun, became, in October, 1869, the first former Confederate state to return to the control of the white conservatives. Whites in Virginia regained control of their state government in the same month and engineered the state's restoration to the Union in January, 1870; thus the Old Dominion never fell into official carpetbag hands. In the next seven years, the other nine states followed the same course. ''Bill Arp's'' caustic observation that ''slavery for the white foaks and freedum for the nigger runs mity well together now-a-days,'' was completely groundless; and the traditional interpretation of Negro suffrage and white disfranchisement under the Reconstruction Acts equally indefensible.[34]

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[31] [Edward A. Pollard], "Universal Suffrage in a New Disguise," *The Political Pamphlet,* I, 2 (September 12, 1868), p. 40; Pollard, *Lost Cause Regained,* p. 100.

[32] James S. Pike, *The Prostrate State: South Carolina Under Negro Government* (New York, 1935 [1873]), p. 45; La Crosse *Democrat,* March 24, 1868.

[33] John R. Lynch, *The Facts of Reconstruction* (New York, 1914), pp. 94-99.

[34] [Charles Henry Smith], *Bill Arp's Peace Papers* (New York, 1873), p. 184.

CONSTITUTIONAL VOTING RIGHTS AND EARLY U.S. SUPREME COURT DOCTRINE

The federal courts in the United States, especially before the famous 1962 Tennessee apportionment case of *Baker* v. *Carr*,[1] have often erroneously been thought to be impotent in regard to election law, voting rights and other legal questions clearly bearing on politics. This notion, of course, has not been historically the case as attested to by the increase of voting participation among Southern Negroes in the wake of Supreme Court decisions, such as *Smith* v. *Allwright*,[2] invalidating the "white primaries." But guardianship of political rights has not always so clearly been championed by our nation's highest tribunal. Indeed, the transformation that has taken place in judicial thinking and its underlying assumptions since the Civil War is so great that, in reviewing voters' rights cases over the past century, one feels like an archaeologist cutting through several strata in which judicial fault planes reveal a pattern of ideological and cultural change. Sifted in the discussion below are the earliest judicial artifacts in the post-Civil War quarry of federal court decisions concerning the right to vote.

In the aftermath of the Civil War, Republican Radicals in Congress proposed several plans designed to alter state election regulations so as to ensure the constitutional rights of qualified voters in congressional elections, including the rights of the newly enfranchised Negro. It was widely felt among members of Congress that a program of political reform benefiting the Republican Party could be enacted in the form of statutory law under the authority of the Constitution which vested in Congress supervisory power over the "times, places and manner" of holding congressional elections.

When President Andrew Johnson made it known that he would not cooperate with Radical elements in Congress, some legislators began to consider the possibility of amending the Constitution to authorize full protection for Negro suffrage. The prospect of a constitutional amendment held out to its

[1] *Baker* v. *Carr*, 369 U.S. 186 (1962).
[2] *Smith* v. *Allwright*, 321 U.S. 649 (1944).

proponents two advantages. It would neither require the approval of the President, nor would an amendment be easily vulnerable to a possibly hostile future Democratic majority in the House or Senate. What the framers of the Fourteenth and Fifteenth Amendments did not fully anticipate, however, was an attack on their enforcement statues by the Supreme Court—the ultimate interpreter of the Constitution. A crippling of suffrage rights among qualified Negro voters was effected in part even during Reconstruction days by the formulation in the federal courts of the "state derivation doctrine." This short-lived judicial blunder gave the appearance of serving as a kind of constitutional "pea and shell game." By declaring that the right to vote is not secured by the Constitution, the courts rendered unclear the legal bases of the right by separating federal authority from local control.

State legislatures are empowered to specify the qualifications for voters who participate in congressional elections. Does the logic of this arrangement imply that citizens who meet the requirements for voting for federal officers owe their political rights to the state in any sense which makes the exercise of the franchise depend exclusively on the law of the state? Obviously the Fourteenth Amendment, among other constitutional provisions, has some bearing on the answer to this question. The Amendment of 1868 filled a gap left in the Constitution by the framers of 1787. The Fourteenth Amendment declared who shall be citizens: "all persons born or naturalized in the United States and subject to the jurisdiction thereof."

Following ratification of this constitutional change and the adoption in 1870 of the Fifteenth Amendment barring racial distinctions with respect to voting laws, federal courts were soon busied with litigation which they found to involve extravagant claims by citizens wishing to vote. Taking courage from the promise of the Civil War Amendments, a South Carolina Negro, Amzi Rainey, attempted to cast his ballot for a United States congressman. He did not do so, however, without first being treatened with violence. Rainey's introduction to democratic procedure was followed by a late-night visitation of marauders substantiating their threat by assaulting him and burglarizing his home. Crosby and other alleged vigilante

conspirators were indicted for violating the federal "Enforcement Act" designed to back up the constitutional guarantee of political rights to qualified voters regardless of race. The validity of the indictment was negated by the federal circuit court judge on several grounds. Among other reasons, Judge Bond set aside the indictment because: "The right of a citizen to vote depends on the laws of the state in which he resides, and is not granted to him by the constitution of the United States; *nor is such right guaranteed to him by that instrument.*" This neat formulation of the "state derivation doctrine" was delivered in *United States* v. *Crosby.*[3] Judge Bond, in setting out his Court Opinion, admitted that he had given only "little deliberation" to the case. Nevertheless, he rested his dismissal of the indictment on the grounds, *inter alia,* that the elective franchise is not a necessary incident of citizenship with respect to Negroes.

The same rule as to women was expounded in 1873 when Supreme Court Justice Hunt, on the New York circuit, first crossed the litigious path of the impolitic but persistent suffragette, Susan B. Anthony. Her attempt to cast a ballot for a United States representative had ended with inglorious arrest. The Court conceded that "Miss Anthony knew that she was a woman and that the Constitution of this state prohibits her from voting."[4] Her attorneys argued, on the other hand, that she had all the qualifications required for electors of representatives with the mere exception of that of being a man. The restriction of voting to males in New York law, they argued, was a violation of the newly enacted Fourteenth Amendment which provided that no state shall abridge the privileges or immunities of citizens. Only weeks earlier, the Supreme Court haid said in the famous *Slaughterhouse Cases*[5] that the Privileges and Immunities Clause merely meant that no state may deprive a citizen of the "privileges and immunities, whatever they may be, enjoyed by its own citizens," and the presumably small but indeterminant number of such rights attending federal citizenship. Following in

[3] *United States* v. *Crosby,* 25 Fed. Cas. 703, No. 14,893 (1871).

[4] *United States* v. *Anthony,* 24 Fed. Cas. 829, No. 14,459 (1873).

[5] *Slaughterhouse Cases,* 16 Wall. 36 (1873); cf., *Twining* v. *New Jersey,* 211 U.S. 78 at 97 (1908).

the spirit of this narrow interpretation, Justice Hunt, in *United States* v. *Anthony,* reasoned that the "privileges" of United States citizenship do not include the privileges of voting, for this arises under the constitution of the state.

In affirming Miss Anthony's guilt and incurring her feminine wrath further by refusing a jury trial to New York's first woman voter, Justice Hunt did more than fine her $100. He enunciated the line of argument which the Supreme Court adopted the following year. The lady voter obviously succeeded in confounding the men in robes, for Justice Hunt's decision introduced an element of confusion into constitutional law which survived for a decade.[6]

To locate the source of a right, modern jurisprudence says, is to go a long way in identifying the power that may enforce it. The federal Constitution provides that those who vote for senators and members of the House of Representatives shall have the same qualifications as are required of electors of the most numerous branch of the state legislature. In *The Federalist* Number 52, the "Father of the Constitution," James Madison, had construed this as meaning that the right of those qualified under state law to vote was a right secured to them by the Constitution. That instrument is the source of the right to vote for federal officers but accepts as its own the qualifications which the states severally require for the election for the most numerous branch of their state legislatures.

There appear in election law decisions, from the time that Judge Bond dealt cavalierly with Amzi Rainey and Justice Hunt frowned on Miss Anthony until 1937, the frequent statement that the right to vote derives from the states.[7] Now, this applies to the right to vote for members of Congress only in the sense that the states may determine the qualifications of the electors, subject of course to the prohibitions and grants of the United States Constitution. In consequence of this arrangement, the larger houses of the state legislatures

[6] For evidence of the inability of early commentators to square the *Anthony* case with later decisions see K. Watson, *The Constitution of the United States* (Chicago: Callahan and Co., 1910), I, 139; Henry St. George Tucker, *The Constitution* (Chicago: Callahan and Co., 1899), I, 394.

[7] *Minor* v. *Happersett,* 21 Wall. 162, 178 (1875); *United States* v. *Reese,* 92 U.S. 214, 217-218 (1876); *Breedlove* v. *Suttles,* 30 U.S. 277, 283 (1937).

delimit the electorate of their respective states. But they do not make their prescriptions with reference to the election of members of Congress. Rather, they define the electorate which chooses the state popular branch, and the United States Constitution says that by its authority, the right of the same persons to vote for members of Congress is guaranteed and secured. This summary statement of the law was muddied by the rationale of Justice Hunt's *Anthony* decision and by the reasoning which it fathered in 1875 in *Minor* v. *Happersett.*

That difficult case involved another articulate suffragette, a citizen of Missouri. Mrs. Minor wished to exercise what she conceived to be her authorized right of choice for a member of Congress. In that state, suffrage was limited to male citizens and consequently, Happersett, the election registrar, refused to list Mrs. Minor as a lawful voter. Susan Anthony's disciple sued Happersett on the ground that she was denied by a state official the privileges and immunities of citizens guaranteed by the Fourteenth Amendment. Chief Justice Waite, speaking for the Supreme Court, decisively rejected her contention. Our task, he affirmed, "is to decide what the law is, not to declare what it should be." Many congressional critics thought that he succeeded in neither.

In the Court Opinion in *Minor* v. *Happersett,* Chief Justice Waite correctly reiterated the fact that neither Article I nor the Fourteenth Amendment of the Constitution defines the privileges and immunities of citizens of the United States. It would be difficult with any finality to draw up a list of such rights, he conceded, although in 1868 the same bench had ruled that the right to "pass freely from state to state" is a right of national citizenship.[8] But as far as suffrage is concerned, the Chief Justice emphasized, one thing is certain: the suffrage has never been coextensive with citizenship. In the context of this line of reasoning the Court, which included Justice Hunt, concluded that "the Constitution does not con-

[8] *Crandell* v. *Nevada,* a tax case, is important for its emphasis on the right to travel [6 Wall. 35 (1868)]. The declaration is particularly interesting in the light of the interstate character of present day voter-registration drives and in the light of the hypothesis advanced by Harold Gosnell that "mobility is closely related to the existence of independent employment, rapid communication, general education, or any of the other changes presaging a liberalized franchise." *Democracy, the Threshold of Freedom* (New York: Ronald Press, 1948), p. 21.

fer the right to vote on anyone." Frequently broadly interpreted, this statement was conceived to mean that the source of the right to vote rests exclusively with the states. Narrowly understood, Waite seemed to be saying nothing more than that the United States does not have voters of its own constitutional creation.

The years of Morrison Waite's chief justiceship (1873-1888) span a period in which the Supreme Court showed a frequent tendency to uphold the primacy of state powers. 1876 marks the date that the Court reached its high-water point of confusion in regard to federalism and the franchise. That year the justices heard two suffrage cases in which they clarified some aspects of the Fifteenth Amendment injunction that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." Little light was shed upon the question of the source of the right to vote in federal elections in *United States* v. *Reese*[9] and *United States* v. *Cruickshank*.[10] Both involved the harassment of newly enfranchised Negroes in state elections in the South. Chief Justice Waite formulated the rulings of the two cases. Together they say that the Fifteenth Amendment has invested the citizens of the United States with a new constitutional right which has a negative character, namely exemption from discrimination in the exercise of the elective franchise on account of race, etc. From this it appears that the right of suffrage is not an attribute of national citizenship. The right to participate in any election held in the territorial limits of a state comes from the state; but the right of exemption from the prohibited discrimination comes from the United States. Finally, and most important, in both cases, the Court emphasized that the Fifteenth Amendment did not prevent the actions of individuals intent on subverting the vote.

In the *Reese* case, the Court lectured that Congress must restrict its enforcement legislation under the Fifteenth Amendment to the regulation of state interference with voting rights where such interference was based on racial con-

[9] *United States* v. *Reese*, 92 U.S. 214 (1876).
[10] *United States* v. *Cruickshank*, 92 U.S. 542 (1876).

siderations. In the *Cruickshank* case, the "Conspiracy Section" of the Enforcement Act of 1870 was limited in its application to those instances in which a citizen was deprived of the rights and privileges incident to national citizenship. This case involved a potpourri of allegedly deprived rights. The use of the federal statute was held to be inapplicable in this instance in which the defendants were criminally charged with depriving Negroes of the right to assemble peacefully, the right to bear arms, the right to life and liberty, the right to equal protection of laws of the state and of the United States, and the right to vote. Perhaps the best testimony to the practical consequences of the decisions in these two cases was written in a mood of frustration by a Department of Justice attorney stationed at the time in South Carolina. He complained in 1879:

> I have been forced by the unfortunate condition here, to give to Reese et al and Cruickshank et al my severest study. I made last spring a careful abstract with notes of these and all kindred cases and came to the conclusion then, which is much stronger now, that with the single exception of a few sections, relating to the election of federal officers, the federal election laws are a delusion and farce . . . [If white vigilantes] . . . break up meetings by violence, there is no remedy, unless it can be proved to have been done on account of race, etc., which can't be proved . . . With colored men crowding my office, it is hard to make them understand my utter helplessness."[11]

With something more than unexplained inconsistency, Chief Justice Waite almost a decade after he had penned the *Minor* decision, concurred with Justice Miller that "the right to vote for a member of Congress flows from the Constitution. . . . The right does not depend exclusively on the law of the state." For the Chief Justice, the passage of years and the gradual recuperation of a nation divided by war seemed to effect a recognition of a dual source of the right to vote in federal elections.

In *Ex parte Yarbrough*,[12] Waite heard his last case in which the scope of the Civil War Amendments was considered. The Supreme Court affirmed the conviction of eight members of the Ku Klux Klan of Georgia who had conspired

[11] L. C. Northrop to Charles Devens, Jan. 14, 1879, Nov. 11, 1879. Quoted by C. Peter Magrath, *Morrison R. Waite, The Triumph of Character* (New York: The Macmillan Company, 1963), pp. 132-133.

[12] *Ex parte Yarbrough*, 110 U.S. 651 (1884).

to intimidate a Negro voter from casting his ballot for a congressman. In this conspiracy, the hooded terrorists violated the Enforcement Act of 1870. For the congressionally enacted law to have effect it was essential to clarify, or more forthrightly, to reject Waite's previous emasculation of federally secured voting rights, and to recognize the constitutional source of the claim. The Enforcement Act was framed to discourage the intimidation of citizens in the exercise of a federal right.

Did the fact that the Court, in *Ex parte Yarbrough,* recognized Article I, Section 2 as the legal source of the right to vote for congressmen contradict Chief Justice Waite's *Minor* premise? Certainly, the facts in preceding cases had differed from those presented in *Yarbrough.* Minor had involved the attempt of a woman to vote for a congressman. *Reese* and *Cruickshank* were concerned with state elections. Nevertheless, lawyers for the Klansmen in *Yarbrough* and more reputable constitutional commentators of the day insisted that the reasoning supporting earlier cases precluded the recognition of a constitutional right to vote in federal elections—a right good against state and private interference.[13] Mr. Justice Miller, the Court scholar, exercised judicial statesmanship when he wrote the *Yarbrough* opinion. Straining to defer to his Chief Justice and at the same time to state the law coherently, he interpreted the Constitution as adopting as the qualification of voters for members of Congress that which prevails in the States where the voting is to be done. The right is not conferred "on any person or class of persons by the Constitution *alone.*" Elsewhere Miller wrote, "It is not true therefore that electors for members of Congress owe their right to vote to the state law . . . exclusively." Waite concurred with this modification of his reasoning in the *Minor* case because the word "exclusively" appeared to harmonize with his previous dictum.[14]

Justice Miller explained that the dual source of the right may be accounted for by the fact that the "right to vote for a

[13] Charles Warren, *The Supreme Court in United States History* (Boston: Little Brown and Co., 1935), II, 615.

[14] Bruce R. Trimble, *Chief Justice Waite* (Princeton, New Jersey: Princeton University Press, 1938), pp. 162-163.

member of Congress does flow from the Constitution," but to discern the identity of the person or class of persons who enjoy the right "you have to look to the law of the state for the description. . . . " He asserted further that the idea that Congress has no power to secure federal elections from violence, corruption, or fraud and thereby safeguard the right was a startling denial of the means of self-preservation to Congress. To put the law straight, Miller averred that the Court in previous years actually had had "no intention" of saying that when the class of persons is determined by the state, their right to vote for a member of Congress was not "fundamentally based upon the Constitution."

Chief Justice Waite may well have felt uncomfortable in authoring the statement that the Constitution does not secure the right of suffrage to anyone, and then, in *Yarbrough* presiding over the effective demise of the thrust of the "state derivation doctrine" by subscribing to the declaration that the right to vote for a member of Congress "flows from the Constitution." The distinction, as one observer has suggested, is more than "a little strained."[15] It was a distinction, however, which apparently served the purpose of allowing the Chief Justice to shift his position without seeming to contradict his own precedent. Most important, it was a change which facilitated congressional control of federal elections.

What accounts for the Court's shift? There was first the admission in the *Crosby* case of 1871 that the "state derivation doctrine" had been formulated with but "little deliberation." The straw that was used for that decision was grasped by Justice Hunt to bolster his reasoning in *United States* v. *Anthony*. A close reading of *Minor* v. *Happersett* suggests that the Court was not fully aware of the implications of the doctrine which it invoked, though it was not essential to the narrow ruling in regard to woman suffrage. Further, *Anthony* and *Minor*, no less than the *Slaughterhouse Cases* involved the delicate issue of federalism. In the latter case, decided in 1873, Justice Miller wrote that the highest federal bench had always "held with a steady and even hand the balance between State and Federal power." But the hands

[15] A. J. Lien, *Privileges and Immunities Clause* (Unpublished Ph.D. Dissertation, Columbia University, 1916), p. 60.

changed. There was a turnover of Court personnel during the period between 1873 and 1884. By the time *Yarbrough* was decided Justice Miller was the only remaining member of the tribunal who had been counted in the majority in both the *Slaughterhouse Cases* and *Minor* v. *Happersett.* Miller's halting but basically progressive faith in congressional control over federal elections was encouraged by five new Republican appointees who joined him in *Yarbrough* but felt no commitment to the dictum in *Minor.* Too, Chief Justice Waite's sentiment seemed subject to an "ebb and flow of nationalism."[16] By diplomatic and careful phrasing in *Ex parte Yarbrough,* Miller gained Waite's support in spelling the obsolescence of the "state derivation doctrine." By engineering the shift, Miller demonstrated that he was "more reconciled to the exercise of power by the political branches of the government"[17] than were his colleagues of 1875. In any case, by the time *Ex parte Yarbrough* succeeded in clarifying the law, the question of federal protection of Negro voters had become ironically moot as President Arthur's Attorney General, preoccupied with a post office scandal, virtually abandoned the enforcement of federal election law in the South.

In returning to the interpretation of *The Federalist* Number 52 with respect to the source of the right to vote in national elections, the *Yarbrough* milestone, if it did not immediately affect enforcement, at least helped in an academic sense to clarify the constitutional source of the right to vote. Thus Justice Miller was able, in speaking to a group of law students, to relate the federal franchise to the "obligation of the United States to see that the states do not abridge the right."[18] The far-reaching importance of *Ex parte Yarbrough* lies further in the fact that it makes it clear that Congress has the constitutional power to protect the integrity of its own selection process. The effect of the case in legal development also gains importance when it is recognized that it provided strong precedent-authority, in addition to section

[16] Robert McCloskey, *The American Supreme Court* (Chicago: University of Chicago Press, 1960), p. 125.

[17] Charles Fairman, *Mr. Justice Miller and the Supreme Court* (Cambridge, Mass.: Harvard University Press, 1938), p. 135.

[18] Samuel Freeman Miller, *Lectures on the Constitution* (New York: Banks and Brothers, 1893), p. 661.

2 of Article II on presidential selection, and the Necessary and Proper Clause, for the Supreme Court later to formulate a doctrine of general federal police power over all national elections.[19] In other words, an enforcement clause such as that gracing the Fourteenth, Fifteenth and Nineteenth Amendments was read into constitutional provisions relating to congressional and presidential elections. In addition to legitimizing federal protection of voters' rights in elections on the national level, the *Yarbrough* holding also put the Supreme Court in the position of being able authoritatively to define the boundaries of congressional protection of the right. Witness that these boundaries are broad is documented in the voting provisions of the Civil Rights Acts of 1957, 1960, 1964 and 1965, statutes which could never have been framed had the "state derivation doctrine" survived.

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[19] *Burroughs* v. *United States*, 290 U.S. 548 (1934).

"Kansas," declared the Chicago *Tribune* in 1866, "is the most radical of the States."[1] By this it meant that Kansas surpassed all other states in a desire to punish the South for the sins of slavery and secession, and to advance the legal, political, and social position of the Negro. Underlying the statement was the belief, widespread then and persisting to this day, that Kansas had been settled by zealous New England abolitionists engaged in a crusade against slavery. Indeed, Northerners and Southerners alike thought of the state as a hotbed of antislavery fanaticism, with the result that "Kansan" and "abolitionist" were practically synonomous terms during the Civil War era.

To an extent this reputation was well-deserved. "Bleeding Kansas" had played a key role in defeating the South's attempt to expand slavery into the western territories; antislavery New Englanders were prominent in the state's affairs; and practically all of its major officials were outspoken abolitionists—men such as Governor Charles Robinson, Senators James H. Lane and Samuel C. Pomeroy, and Representative Martin Conway, the last of whom advocated the Wendell Phillips doctrine of letting the South secede in order to rid the nation of slavery![2] But in a more fundamental sense Kansas' radicalism was essentially a myth, or at least greatly exaggerated. In the first place, the vast majority of Kansans hailed from the midwest, not New England.[3] Secondly, only a few of them settled in Kansas solely or even primarily for the purpose of combatting slavery. As one of them put it in later years, "We came to Kansas to better our conditions, incidentally expecting to make it a free State."[4] And finally, while the bulk of the population opposed slavery, full-fledged abolitionists constituted at most only a small minority—a vocal, active, and influential minority, to be sure, but still a

[1] Quoted in White Cloud *Kansas Chief*, February 8, 1866.

[2] Leavenworth *Daily Times*, April 27, 1861, reporting speech by Conway at Topeka.

[3] Wallace E. Miller, *The Peopling of Kansas* (Columbus, Ohio, 1906), pp. 67-77.

[4] William H. Carruth, "The New England Emigrant Aid Company as an Investment Society," *Kansas Historical Collections*, VI (1897-1900), 93.

minority. In fact, according to one highly-qualified observer, many Kansans had a "deadly terror of being termed 'abolitionists,' " and were "frightened by the mere mention of that mysterious specter, 'negro equality.' "[5]

Basically the people of Kansas held the same attitudes on the Negro and slavery as most other midwesterners of the time. They considered the Negro naturally inferior, believed that his proper status in society was one of subordination to the white, and objected to slavery not for idealistic or moralistic reasons but because they feared its social and economic effect on the small white farmer. Paradoxical as it may seem, they were almost as much anti-Negro as they were antislavery, and in large part they were antislavery precisely because they were anti-Negro: i.e., by keeping slavery out of Kansas they also kept out the Negro, whose presence in large numbers they considered a threat to the community.[6]

When the Civil War broke out the majority of Kansans shared the prevailing Northern belief that the sole purpose of the struggle should be preservation of the Union. Only a handful of radical abolitionists proclaimed slavery as the "basic issue" and proposed freeing the slaves of "rebel masters."[7] The leaders of this group were James Montgomery, who had served with John Brown and who had financial support from the same New England abolitionists who had backed Brown's Harper's Ferry raid; Charles R. Jennison, a twenty-six year old adventurer whose hatred of slavery was exceeded only by his love of plunder; and Daniel R. Anthony, brother of Susan B. and publisher of the Leavenworth *Daily Conservative,* which despite its name was the most radical paper in the state. Closely associated with them were a number of influential journalists, preachers, and politicians

[5] Albert D. Richardson, *Beyond the Mississippi* (Hartford, Conn., 1867), p. 43.

[6] See White Cloud *Kansas Chief,* November 28, 1861. See also *Kansas Constitutional Convention. A Reprint of the Proceedings and Debates of the Convention Which Framed the Constitution of Kansas at Wyandotte in July, 1859* (Topeka, Kansas, 1920), pp. 56, 272, 299, 324-25, 465-68, for statements and measures indicative of the presence of strong anti-Negro sentiment in Kansas.

[7] See White Cloud *Kansas Chief,* April 18, 1861; Leavenworth *Daily Times,* April 14, 1861; Lawrence *Republican,* April 18, 1861; Topeka *Kansas State Record,* April 20, 1861; Emporia *News,* April 27, 1861; Lawrence *Kansas State Journal,* April 18, 1861; Oskaloosa *Independent,* April 24, 1861; Olathe *Mirror,* June 20, 1861; Topeka *Tribune,* April 20, 27, May 4, 1861.

headed by Senator James H. Lane, the "Grim Chieftain" of the Republican Party and the "King" of Kansas politics. A master demagogue, hypnotic orator, and utterly unscrupulous, Lane exploited antislavery radicalism as a means of advancing his political ambitions—at the same time always being careful never to offend the anti-Negro prejudices of his constituents. All of these men, for a variety of motives, sincere and cynical, selfish and altruistic, welcomed the war as a golden opportunity to strike a death-blow at slavery.[8]

Nor were they slow in taking advantage of this opportunity, and in the most direct fashion possible. During the summer and fall of 1861 bands of Kansas "jayhawkers" led by Montgomery, Jennison, and Anthony swept across the border into Missouri and "liberated" hundreds of slaves in the name of suppressing rebellion. The climax to these raids came in September, when Lane at the head of the "Kansas Brigade" marched through western Missouri, burning and looting, and distributing copies of General John C. Fremont's recent proclamation freeing the slaves of all rebels—blithely ignoring, as he did so, the fact that President Lincoln had repudiated the proclamation shortly after its appearance. By the time the raid ended his troops were accompanied by hundreds of Negroes, many of whom were serving as teamsters, cooks, and even soldiers. In November he joined Fremont's army in an expedition to Springfield, Missouri, from which region he sent back to Kansas six hundred Negroes in a "Black Brigade" led by two Methodist chaplains. As they entered the "Happy Land of Canaan" the ex-slaves gave forth with cheers for "Jim Lane, the liberator." The chaplains then distributed them as laborers among the farms and villages of southern Kansas.[9]

Even greater numbers of Negroes poured into Kansas on their own, attracted by the state's abolitionist reputation.

[8] For a detailed analysis of the Kansas radicals, see Albert Castel, "The Jayhawkers and Copperheads of Kansas," *Civil War History*, V. (September, 1959), 283-93; and Albert Castel, "Kansas Jayhawking Raids into Western Missouri in 1861," *Missouri Historical Review*, LIV (October, 1959), 1-11.

[9] For Kansas jayhawking raids into Missouri, see *ibid.*, and Albert Castel, *William Clarke Quantrill: His Life and Times* (New York, 1962), pp. 52-61. The presence of Negro soldiers in Lane's brigade was reported by the Leavenworth *Daily Conservative*, October 8, 9, 1861.

Most of the refugees, naturally, were from Missouri, but a few were from Arkansas, the Indiana Territory, and Texas. They came singly, in small groups, or sometimes in parties of several dozen. Often they brought with them the mules, horses, wagons, furniture, and other property of their erstwhile masters. In September, 1861, the Leavenworth *Daily Conservative* reported that according to information gathered from citizens living along the border "at least one hundred slaves leave Missouri each day for Kansas."[10] A month later George W. Collamore, Mayor of Lawrence, Kansas, wrote the prominent Boston abolitionist George L. Stearns that "Slavery is fast disappearing in Missouri" as Negroes fled into Kansas "in no small numbers."[11] And in November another of Stearns' Kansas correspondents testified that 131 Negroes had arrived in Lawrence during the past ten days alone, and that 56 of them had come in one group the previous evening.[12] By 1863 8,000 former slaves had refugeed to Kansas, and by the end of the war the state's colored population had swollen from a mere 816 in 1860 to almost 13,000.[13]

Missouri slaveholders, as might be expected, greatly resented the jayhawking and flight of their valuable chattels. At first they endeavored to prevent them from escaping, or to recover them if they did succeed in getting to Kansas. But their efforts along these lines proved utterly futile, even dangerous, and eventually large numbers of them gave their slaves freedom, with the choice of remaining to work for wages or going to Kansas. Some Missourians were so terrorized by the jayhawkers that in self-defense they told their slaves to leave, considering "no course safe but to urge, even to force, the last house servant to leave."[14]

[10] *Ibid.*, September 20, 1861.

[11] Collamore to Stearns, October 23, 1861, G. L. Stearns Papers, Kansas State Historical Society, Topeka, Kansas.

[12] John B. Wood to Stearns, November 19, 1861, Stearns Papers.

[13] "Address of Governor Martin," *Kansas Historical Collections*, III (1883-85), 377.

[14] See B. W. Lewis, a Glasgow, Missouri, slaveholder, to Governor Thomas Carney of Kansas, August 24, 1863, Governor's Correspondence (Thomas Carney), 1863-64, Kansas State Archives, Topeka, Kansas. See also Atchison *Freedom's Champion*, March 31, 1865. Some Missouri slaveholders took their slaves to Texas at the outbreak of the war in order to safeguard them from jayhawkers. See Castel, *Quantrill*, p. 64.

The majority of the former slaves congregated at Leavenworth, Lawrence, Wyandotte, and Fort Scott, in that order.[15] Leavenworth, then Kansas' most populous city, had in the summer of 1862 about 1,500 colored residents, two Negro churches (one Baptist, the other Methodist), and a Negro school with 128 students.[16] Lawrence attracted a great many fugitives because of its fame as an "abolition center." Its citizens, although strongly antislavery, were somewhat dismayed by the influx and "almost regretted the reputation their history had given them." But their fear that the Negroes would become a burden on the community proved unfounded. "By a little systematic planning work was found for them as fast as they came, and . . . the freedmen were self-sustaining almost from the start." In December, 1861, the night school which had been established for the illiterate ex-slaves had 83 pupils ranging from old men to young children, and 27 volunteer teachers.[17] Wyandotte (now part of present-day Kansas City, Kansas) by 1865 possessed 1,504 Negro inhabitants—approximately one-half of its total population, and the much smaller town of Fort Scott had about 500 "citizens of color."[18]

The refugee Negroes were welcomed for their labor, as a severe manpower shortage existed in Kansas because of heavy enlistments in the army. "A great many farms are not cultivated in this section," wrote a farmer who lived near Topeka to a relative back East, "for want of working men. . . . " "It would be a great blessing," he added, "if more darkies would understand their rights and come to our aid."[19] Kansas farmers eagerly sought the services of the Negroes brought out of Missouri by Lane in the autumn of 1861, and Lane's political enemies accused him of asking and accepting money for them.[20] Lane himself employed Negro la-

[15] Kansas State Census of 1865, Kansas State Archives, Topeka, Kansas.

[16] Leavenworth *Daily Conservative*, July 8, 1862. By 1865 Leavenworth had 3,374 Negro inhabitants—about one-sixth of the town's total population.

[17] Lawrence *Kansas State Journal*, November 28, 1861; John B. Wood to George L. Stearns, Lawrence, November 19, 1861, Stearns Papers; Richard Cordley, *A History of Lawrence* (Lawrence, Kansas, 1895), pp. 182-85.

[18] Kansas State Census of 1865.

[19] Samuel J. Reader to "Ella," July 8, 1862, "Samuel J. Reader Letters," *Kansas Historical Quarterly*, IX (May, 1940), 151.

[21] Lawrence *Kansas State Journal*, March 13, 1862.

borers, and in 1863 boasted that he had "made nine miles of fence this spring" and planted all of his cotton with the aid of Negroes who "were slaves in Missouri but a short time since."[21] The bountiful harvest of 1863, affirmed the Leavenworth *Daily Conservative,* was made possible only by Negro help: "Almost every farm is supplied with labor in the shape of one or two large, healthy negroes . . . "[22] Thus economics reinforced abolitionism and weakened prejudice in Kansas; otherwise it is doubtful if the state would have been so hospitable to the fugitives.

Some of the freedmen, however, proved reluctant to work. To them slavery and work were (understandably enough) synonomous, and initially at least they adopted the attitude that when one ended so should the other. A woman who spent her childhood in Civil War Kansas later recalled seeing young white children in the fields hoeing corn while the "negroes who abounded in the neighborhood . . . would not work, no matter what pay was offered."[23] A newspaper correspondent from Illinois described a colony of "contrabands" near Fort Scott, its members sprawled out on the ground in "squads," completely unconcerned about the future, and declining to accept any of the jobs offered them. They preferred, stated the correspondent, to exist on the hospitality of their fellows who had erected "little shanties and were earning a living."[24] Eventually, of course, dire necessity if nothing else forced even the most reluctant ex-slave to realize that "freedom" did not mean freedom from work.

As the war progressed, antislavery feeling in Kansas rapidly increased. The editor of the Oskaloosa *Independent* ably summed up this development in September of 1861:[25]

> When the present rebellion first broke out, there was but one sentiment among loyal citizens—that of maintaining the government against the rebels, and of avoiding the Slavery issue, as such, in the

[21] Leavenworth *Daily Conservative,* May 27, 1863.

[22] *Ibid.,* August 6, 1863.

[23] Adela E. Orpen, *Memories of the Old Emigrant Days in Kansas, 1862-1865* (Edinburgh and London, 1926), pp. 60-61.

[24] C. M. Chase to Sycamore, Illinois, *True Republican and Sentinel,* August 19, 1863, C. M. Chase Letters, Kansas State Historical Society.

[25] Oskaloosa *Independent,* September 28, 1861.

> contest. . . . But of late . . . there is an evident change in public feeling on the subject of Slavery. . . .
>
> While no one, or at least none but a mere handfull [sic] of rabid abolitionists, wishes the war to assume the Slavery issue as the leading feature or the main end to attain, yet there is a growing desire to have the institution, which is either the real cause of the rebellion, or the instrumentality used by ambitious demagogues to carry out their treason, put out of the way.

When Fremont issued his "premature" emancipation proclamation of 1861, previously mentioned, the state's newspapers praised it as "striking at the root and cause of the war," and later expressed regret when Lincoln revoked it.[26] In this instance Kansas was indeed "radical," being far in advance of prevailing Northern opinion, which was not prepared to support emancipation until a year later.

Not only did Kansans come to favor freeing the slaves, but as 1861 gave way to 1862 a small but growing number of them began to advocate enlisting Negroes in the army, another pet project of the abolitionists, who believed that nothing would do more to subdue the South than the spectacle of black men in blue uniforms. The arguments put forward by the Kansas proponents of Negro troops, however, had little in common with abolitionist idealism, but were strictly utilitarian in character—probably deliberately so. Thus the Emporia *News* maintained that if the South insisted on using Negroes "to shoot down our brave boys, ought we not to retaliate by using them to subdue the enemies of the government?"[27] The Leavenworth *Conservative,* as part of a prearranged propaganda campaign designed to build up support for recruiting Negroes, argued that they were needed to help defend the long frontiers of Kansas against guerrillas and Indians.[28] And Lane, in a speech early in 1862, asserted bluntly that the Negro might "just as well become food for powder" as the white man.[29]

[26] White Cloud *Kansas Chief,* September 12, November 28, 1861; Topeka *Kansas State Record,* September 7, 1861; Lawrence *Kansas State Journal,* September 26, December 5, 13, 1861; Oskaloosa *Independent,* October 5, 1861; Atchison *Freedom's Champion,* November 9, December 14, 1861.

[27] Emporia *News,* December 21, 1861. At this time the belief was widespread in the North that the Confederate Army was using slaves as soldiers.

[28] Leavenworth *Daily Conservative,* July 17, 19, 1862.

[29] *Ibid.,* January 21, 1862.

It was Lane who brought about the enlistment of the first Negro troops in the state. In August, 1862, he came from Washington wearing the title of "commissioner for recruiting in the Department of Kansas" and established an "office of recruiting" in Leavenworth. He then proceeded to raise four infantry regiments—three of whites and one of Negroes. In doing the latter he acted under the terms of the recently passed Confiscation Act, which empowered the President "to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion. . . ."[30] Although he had no official authorization from the President to enlist Negroes, he did possess Lincoln's verbal promise that he would have the tacit sanction of the Government. By raising the Negro regiment he hoped to become the hero of the Northern radicals and so ride the abolitionist horse into the White House.[31]

Despite the campaign of the *Conservative* and other radical newspapers, enlistment of Negroes encountered strong opposition in the state. A Fort Scott editor advised Lane to keep his colored soldiers away from the "Kansas troops in the field," for "with one exception, there is not a Kansas regiment from which they would not have as much to fear as from the rebels."[32] Lane himself later admitted in the Senate that it required four months of propaganda to prepare the "antislavery people" of his state for the great innovation of armed Negroes, and that the prejudice against the black recruits was so intense that they had to be kept out of sight and drilled in seclusion.[33]

Indications are that the Negroes themselves were not overly-anxious to become soldiers. In a recruiting speech at Leavenworth, Lane felt it necessary to declare that "the negroes are mistaken if they think white men can fight for them while they stay at home. We have opened the pathway. We don't want to threaten, but we have been saying that you would

[30] Leavenworth *Daily Times*, August 5, 1862.

[31] Leavenworth *Daily Conservative*, September 4, 1862, July 10, 1863; John Speer, *Life of Gen. James H. Lane* (Garden City, Kansas, 1896), pp. 261-62.

[32] Fort Scott *Bulletin*, July 26, 1862. The exception mentioned is probably the Seventh Kansas "Jayhawker" Regiment, which had been raised by Jennison and Anthony and contained many abolitionists.

[33] *Congressional Globe*, 38th Cong., 1st Sess., pp. 163, 873.

fight, and if you won't fight we will make you.''[34] The reluctance of Negroes to enlist stemmed mainly from a fear that they would be badly treated by the white troops and the Government, and from concern over the welfare of their families who would be left at home. Furthermore, the terms offered by Lane to Negro recruits—ten dollars a month and a ''certificate of freedom''—were deemed unjust and unfair by Negro leaders, who pointed out that white soldiers received much higher pay and who argued that the certificate was of no consequence since Negroes in Kansas were free anyway.[35]

Additional obstacles to Negro recruitment came from the unexpected quarter of Jennison, who resented Lane being in charge of it. For awhile Lane conciliated Jennison, who was very popular among Western radicals, by appointing him a special recruiting commissioner for Negroes, but aroused his enmity again by refusing to make him colonel of the Negro regiment, a position which that other arch-abolitionist and jayhawker James Montgomery also wanted, but which went instead to an obscure character named James M. Williams—a man the Senator could easily control. Calling Lane a ''great humbug,'' Jennison and his friend George Hoyt (who was head of a jayhawker gang known as the Red Legs) tried to break up the regiment's encampment near Wyandotte, with the result that 200 of the 600 recruits present deserted, most of them going to Leavenworth.[36] Their white officers followed and arrested them, and also forced freedmen who had not enlisted to join up. ''Radical Leavenworth,'' as the *Daily Conservative* rather wishfully called the town, became greatly angered over these arrests and forced enlistments, for they took away valuable workers, and the mayor attempted unsuccessfully to arrest Colonel Williams.[37]

Lane's agents even resorted to kidnapping in order to fill

[34] Leavenworth *Daily Conservative,* August 6, 1862. See also Dudley T. Cornish, "Kansas Negro Regiments in the Civil War," *Kansas Historical Quarterly,* XX (May, 1953), 417-20.

[35] Leavenworth *Daily Conservative,* July 8, August 6, 27, November 9, 1862.

[36] Hoyt to Governor Charles Robinson, August 12, 1862; Jennison to Robinson, August 22, 1862; Montgomery to Robinson, August 3, 1862, Charles Robinson Papers, Kansas State Historical Society. See also Leavenworth *Daily Conservative,* November 9, 1862.

[37] *Ibid.,* November 15, 1862.

the ranks of the Negro regiment. On August 22 a gang of fifteen jayhawkers under "Lieutenant Swain," alias "Jeff Davis," crossed over from Wyandotte to Kansas City to "make converts" among the colored population there. They collected twenty-five Negroes and forty horses, but before they could recross the river they were intercepted by a force of Missouri State Militia, which captured eight of the band, wounded one, and recovered the Negroes and horses. The captives were jailed at Liberty, Missouri, and kept there despite Jennison's threats (this happened before his break with Lane) to free them by force. However, they soon escaped and returned to Kansas. The citizens of Wyandotte held a meeting, condemned the raid, and disassociated themselves from it. But some of the inhabitants of the Missouri counties near Kansas City were greatly alarmed by the affair, and petitioned Lincoln to disband the Negro regiment and punish Lane and Jennison for raising it. Otherwise, they warned, there would be "most serious difficulties" between Kansas and Missouri.[38]

Late in October a detachment of Lane's Negro soldiers under the command of Major H. C. Seaman entered Missouri and camped near Butler. The purpose of the expedition most likely was to obtain additional recruits. On the 28th a force of Confederate irregulars attacked Seaman's men. According to the official Kansas account they beat off the Confederates "with considerable loss" while suffering casualties of ten killed and twelve wounded themselves. They then retreated to Kansas. The only importance of this skirmish was that it was the first action of the Civil War fought by a Negro unit.[39]

About a month later five companies of the colored regiment re-entered Missouri and near Island Mound had another clash with Confederates, after which they captured "a large amount stock" and marched on to Fort Scott. Here, early in 1863, Lane's Negro regiment was mustered into United States service under the designation of the First Kansas Colored Volun-

[38] *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, D.C., 1883-1901), Ser. I, XIII, 618-19; A. T. Andreas (comp.), *History of the State of Kansas* (Chicago, 1883), p. 1232.

[39] "Kansas Regiments," *Report of the Adjutant General of Kansas, 1861-1865* (Topeka, Kansas, 1866), p. 247; Leavenworth *Daily Conservative*, November 10, 1862; Cornish, "Kansas Negro Regiments," *loc. cit.*, p. 421.

teers.[40] It was the fourth colored regiment officially to enter the Union Army, three Negro regiments having been enrolled by Ben Butler at New Orleans in the fall of 1862.[41] Kansas, however, could rightly claim to be the first Northern state to enlist Negroes. Individual honors in this matter must go to Major General David Hunter, who anticipated Lane by about four months while commanding in South Carolina.[42] However, as noted previously, Lane had armed Negroes in his Kansas Brigade in September of 1861, and Jennison's Seventh Kansas Regiment was reported by the famous artist, George Caleb Bingham, to have had an entire company of Negro soldiers under a Negro officer during a raid through Missouri in November, 1861.[43]

Before the war ended Kansas raised (with Lane again taking the lead) another Negro regiment, which was mustered into Federal service late in 1863 as the 83rd United States Colored Infantry. This unit performed well in the Union campaign in Arkansas in 1864, especially at the Battle of Jenkins' Ferry, where it repulsed several times its numbers of Confederates, captured a battery, and took no prisoners in retaliation for a Confederate massacre of Negro soldiers of the First Kansas Colored at the Battle of Poison Spring a short time before. Its commander, Colonel Samuel J. Crawford, became the third Governor of Kansas in 1865.[44]

By being the first Northern state to raise Negro troops Kansas no doubt enhanced its reputation for radicalism. This reputation was in no way diminished as the state enthusiastically applauded the Emancipation Proclamation and was among the first to ratify the Thirteenth Amendment, which passed the legislature by unanimous vite.[45] But all the while

[40] "Kansas Regiments," *Report of the Adjutant General*, p. 248.

[41] Cornish, "Kansas Negro Regiments," *loc. cit.*, p. 421.

[42] *Official Records of the Union and Confederate Armies*, Ser. III, 29-31.

[43] George C. Bingham to James S. Rollins and William A. Hall, February 12, 1862, C. B. Rollins (ed.), "Letters of George Caleb Bingham to James S. Rollins," *Missouri Historical Review*, XXXIII (October, 1938), 52. See also Leavenworth *Daily Conservative*, September 21, 1861.

[44] Samuel J. Crawford, *Kansas in the Sixties* (Chicago, 1911), pp. 102-104, 116-30; Ira Don Richards, "The Battle of Poison Spring," *Arkansas Historical Quarterly*, XVIII (Winter, 1959), 1-12.

[45] *Journal of the Kansas House of Representatives, 1865* (Topeka, 1865), p. 395.

anti-Negro prejudice remained strong. The majority of Kansans, all evidences indicate, continued to consider the Negro, in the words of one editor, "greatly inferior to the white man,"[46] and to regard him with that mixture of contemptuous amusement and distrustful apprehension characteristic of whites in general during that era. A few of the more fervent abolotionists, to be sure, were "proud to show the new element in their population undisguised marks of respect and esteem," but the rest of the populace were determined to keep the freedmen "in their place."[47]

An incident illustrative of this last can be found in the journal of Samuel J. Reader, a young farmer who lived in Indianola, near Topeka. In the fall of 1864 some of the Negro children in Indianola attended the same school as the white. The parents of the latter immediately withdrew their children from the school, and the white pupils threw stones at the colored. Reader protested this action to one of the white parents, whose reply, as recorded by Reader, is quite revealing:

> He told me that the Darkies coming to school was breaking it up, and thinks they ought to leave, and Mrs. Jones will teach them. I told him that did not look like a Christian spirit; that it was the prejudice against having them educated, for fear they could not be kept slaves! "Well," said he, "it's not that so much but because they will get SASSY...."

Reader found himself in the minority, and a separate school was established for the Negro children.[48] Not until ninety years later, as a result of the Supreme Court's historic Brown v. Topeka Board of Educatinn decision did schools in the Topeka area cease to be segregated.

Kansans manifested their non-radical attitude not only in respect to schools, but also by their stand on the question of Negro suffrage. In 1863 the legislature overwhelmingly rejected a proposal to eliminate the word "white" from the voting provisions of the state constitution. It repeated this action three years later, and in 1867 the citizens of the "most

[46] *Weekly Osage Chronicle* (Burlingame, Kansas), February 6, 1864.

[47] C. M. Chase to Sycamore, Illinois *True Republican and Sentinel*, August 19, 1863, Chase Letters. Anthony as Mayor of Leavenworth employed Negro policemen. See Leavenworth *Daily Times*, March 27, 1864.

[48] Manuscript Diary of Samuel J. Reader, September 12, 25, October 10, 1864, Kansas State Historical Society.

radical of the States'' voted two to one against Negro suffrage in an election in which it figured as the main issue.[49] Kansas did ratify the Fourteenth and Fifteenth Amendments without any undue delay (although there was strong opposition to them), but not until 1884 did it get around to removing the word ''white'' from the constitution, despite the fact that it had been meaningless legally ever since the Fifteenth Amendment went into effect nationally in 1870![50]

Yet so well-established, widespread, and persisting was Kansas' radical reputation that fifteen years after the Civil War it became the object of one of the most dramatic events in the history of the Negro race in America, namely the great ''Exodus'' of 1879-80. In those years thousands of Southern Negroes, in a seemingly spontaneous mass movement, abandoned their homes and began trekking northward and westward into Kansas where, they firmly believed, they would not only escape the systematic oppression of the South but find free land and a new and better life. Kansans drew back in mingled fear and bewilderment as the hordes of tattered, hungry, and penniless immigrants poured into the state, and there were some who advocated using guns if need be to keep them out. Fortunately, however, the counsels of common sense and decency prevailed. The governor set up a special commission to deal with the problem, and eventually the ''Exodusters'' either established farm settlements in the southern part of the state or else moved into the Negro sections of such towns as Leavenworth, Kansas City, Topeka, Lawrence, Wichita, and Pittsburg.[51] Here they and their descendants experienced a life which in most ways was probably superior to the one left behind, but which fell far short of any dreams of the ''promised land.''

To sum up and conclude: Kansas deserved its Civil War

[49] Edwin C. Manning, "The Kansas State Senate of 1865 and 1866," *Kansas Historical Collections*, IX (1905-6), 359-75; Daniel W. Wilder, *The Annals of Kansas* (Topeka, 1886), p. 463.

[50] *Journal of the Kansas State Senate, 1884* (Topeka, Kansas, 1884), p. 391.

[51] John G. Van Deusen, "The Exodus of 1879," *Journal of Negro History*, XX (April, 1936), 111-29; Glen Schwendemann, "Wyandotte and the First 'Exodusters' of 1879," *Kansas Historical Quarterly*, XXVI (Autumn, 1960), 233-54; Glen Schwendemann, "The 'Exodusters' on the Missouri," *ibid.*, XXIX (Spring, 1963), 25-40.

reputation of radicalism to the extent that it did take a leading part in the struggle against slavery, especially prior to 1861. Also, owing to the activities of a dynamic minority of abolitionists and radical politicians, it was generally ahead of other Northern states during the war in advocating and carrying out measures designed to promote the freedom of the slaves. But at all times the rank and file of its citizens remained basically anti-Negro, supporting such policies as emancipation and the enlistment of colored troops essentially for reasons of expediency, self-interest, and out of a desire to win the war, preserve the Union, and punish the South, not because of any intrinsic sympathy for the Negro as such. When the war was over and slavery destroyed, Kansas backed the Radical Republican Reconstruction program nationally, but within its own borders showed itself less progressive on the subject of race than many other Northern states, particularly in New England. In fact, if anything, it more resembled the border states on this matter than it did New England—which perhaps simply reflected the origin of most of its population as well as its geographic situation. Yet, so strongly established was its reputation for radicalism that Negroes fled to the state as a refuge, and many people to this day believe that John Brown was the incarnation of the spirit of early Kansas.

ALBERT CASTEL

Western Michigan University

Politics in the Congo, Decolonization and Independence. By Crawford Young. (Princeton University Press, Princeton, New Jersey. 1965. Pp. 608. $12.50).

Politics in the Congo organizes and systematizes a tremendous array of information necessary for understanding what happened during and after the Belgian Colonial regime with its bureaucracy, secret police, informers, and military. Young describes the roles of ethnicity and political organizations since 1960 and explains why unification of the Congo is so difficult. The structure and philosophy of the Colonial Edifice placed the Congolese at the bottom and kept them there, according to Young, through a coalition of Administration, Church, and Industry buttressed by an educational system calculated to teach Congolese their place and function. The few Congolese elite were well-trained to assist the Belgians in keeping the masses "happy and satisfied" while maintaining the *status quo* indefinitely. According to Young, many Congolese officials had greater professional competence and dedication to duty than the press has lead its readers to assume.

The Administration entered into every aspect of the life of every Congolese through the secret police, the agricultural officer, and his assistants, *moniteurs,* recruiters of labor, missionaries and other civil servants. The essentially Belgian and Belgian subsidized Christian-Catholic religious effort was to inculcate clear and intimate consciousness of duties, responsibilities, respect for authority, and loyalty toward Belgium.

Administrators, whatever their own religious views, were under strict obligation to support the Church and Industry with whatever administrative pressure necessary. Constraint, even considerable and brutal, was considered educational and necessary. The Congolese were not permitted to "remain inactive" even after taxes and other legal obligations had been met; there was neither respite nor liberty.

In 1960, according to Young, there were ten thousand Belgian civil servants and officers in the administration and army without counting clandestine secret police and informers; six thousand Belgian missionaries; twenty-five thousand catechists, and numerous business personnel. The fundamentally different interests of the Church, Administration, and Business made for tension especially in recruitment of labor, goals of education, work, and wage. In practice Congolese could not own land. Millions of hectares were alienated to Belgians or for the establishment of national parks causing pro-

longed and bitter dispute between the Administration and displaced Congolese.

In Belgium the Colonial Policy involving cruelty, racial discrimination, and excessive land concessions was relatively free from criticism and restraints. The United Nations Charter was unanimously ratified by the Belgian Parliament but there was non-compliance with Article 73 concerning non-self-governing territories.

Young explains why the Belgians were convinced that with their "different" but "successful" administration in the Congo, social and political change could be avoided and Belgian domination would continue a long time if not permanently; if a Congolese state ever became a reality, Belgium would create it by decree and decolonization would take place within the framework of "controlled gradualism" completely under Belgian guidance and authority. The Congolese use of the word independence was interpreted as "liberation" from race discrimination; by Belgians independence was used interchangeably with emancipation.

In 1956 Congolese leadership was prepared, or resigned, to accept as Lumumba wrote a new Eurafrican society administered and directed jointly by Belgians and Congolese. Africanization of leadership in the Congo was literally unimaginable before 1960 for both Congolese and Belgians. The Belgians believed, according to Young, Congolese leadership would be helpless without Belgian management of the dense, massive bureaucratic machinery; that Belgian involvement in the independent Congo was necessary and in the interest of Congolese and Belgians. After the riots in Leopoldville in January 1959, the Belgians committed themselves to independence because they had been convinced this was the best way to retain the Congo. Africanization of leadership in the Congo in 1960 was agreed to because Belgians were convinced it would fail.

Belgian commitment to independence reassured the Congolese but terrified the Belgian administrators whose pensions and status rights were entirely linked with the colonial state without claims on Belgium. The Congolese considered the removal to Brussels from Leopoldville of part of the gold foreign exchange reserves as a kind of theft. After the riots in Leopoldville in 1959 neither Congolese nor Belgians had much control over events; oppression had been so great "explosion" was inevitable. The enormous time pressure under which the Congolese political organization had to work made for use of every available shortcut including intimidation and violence.

Taking into consideration the education of the masses, the small number of well-trained elite, the restriction on politics and suppression of political organizations by the colonial administration, the lack

of contact of Congolese leaders with each other and the outside world before the Brussels Exposition in 1958, the fact that before 1956 there was little real African representation in the affairs of the Congo and virtually no articulated African opinion, one wonders how the Congolese were able to do what they did and why conditions following independence were no worse than they were.

This excellent book gives the explanation.

IRENE DIGGS

Morgan State College

Folksingers and Folksongs in America, New Revised Edition, by Ray M. Lawless (New York, Duell, Sloan and Pearce, 1965. Pp. 750. Price $10.00)

Folksingers and Folksongs in America, by Ray M. Lawless, professor at Metropolitan Junior College of Kansas City, Missouri, is an amazingly detailed, highly readable, one-volume reference work. Although it is advertised both as a "new enlarged edition" and a "New revised edition," 662 of the pages are a re-issue of the first edition (1960). The final 88-page special supplement notes the changes which have occurred since 1960.

The work is divided into four major sections. Book One presents brief biographies of a "sampling of the many thousands who sing folksongs in our times." In the 218 pages of Book One, Dr. Lawless includes not merely such well-known professional entertainers as Josh White, Roland Hayes, Harry Belafonte, and Leadbelly (Huddie Ledbetter) but also less famous housewives, construction workers, and teachers who have shared the love of folk music. Some, according to Lawless's categorizing, are folksingers; others are singers of folksongs.

In Book Two are scholarly, annotated bibliographies of major collections of folksongs and of minor compilations and "curiosities." The bibliography includes the works of such major collectors as Frank C. Brown, George P. Jackson (who specialized in collecting religious folksongs), John A. Lomax, and Vance Randolph. Major collections include songs of the Negro, of the French, Cajuns, and Creoles of Louisiana, and of Jewish people. Major collections have been made of the songs of many individual states and of the servicemen, cowboys, and lumberjacks of America. Lawless discusses two important collections of slave songs and four collections of folksongs of the Negro.

Book Three consists of lists of folksong titles and of 700 long-playing records cut between 1948 and 1958. The list includes many

songs recorded by Paul Robeson, Tennessee Ernie Ford, Burl Ives, Odetta, and Leadbelly.

In the Special Supplement, Lawless discusses the changes since 1960. He notes the singers who have died and those who have gained popularity. He discusses some of the new books, the new recordings, and the new directions for folk music.

In addition to this major information, readers may be interested in some of the briefer sections, in which Dr. Lawless defines folkmusic, discusses folkmusic instruments, and offers a brief history of folklore societies and of folk festivals.

Carefully prepared by an individual who is a scholar by training and a folklorist in interest, *Folksingers and Folksongs* undoubtedly will be appreciated most by students of folkmusic. It would seem to be a necessity for their personal libraries. Because the book is well-written, however, it should also interest the browser who wishes to learn a little more about the music of America and the people who create and preserve it.

DARWIN T. TURNER

North Carolina A and T College

The Negro and Employment Opportunity: Problems and Practices, by Herbert R. Northrup and Richard L. Rowan (Bureau of Industrial Relations, Graduate School of Business Administration, The University of Michigan, Ann Arbor. 1965. Pp. 411. Price $8.50)

This book came as a response of a responsible agency of a major university to the need for a constant clarification of major problems of the economy. Deeming job opportunity for all a major problem of our time, the Labor Relations Council of the Wharton School of Finance and Commerce in The University of Pennsylvania brought together the leading scholars and key representatives of industry most active in the area for the kind of confrontation with a major social problem from which much good may flow. Dr. H. R. Northrup, whom many will remember for his thoughtful book on Organized Labor and the Negro some years ago, arranged the conference. The present book is a compilation of the scholarly studies and reports that emerged therefrom.

The book is divided into six sections. The first section takes a definitive look at the job problems of Negroes. The second presents two views of equal opportunity legislation. The third section examines what major firms have done about the problem of equal opportunity. The fourth section contains a number of definitive papers on the key

area of Union policy. Perhaps one of the most provocative areas is the fifth, since it is given over to many aspects of community approaches to equal employment opportunity. The indemic dilemma of the disadvantaged as seen in its formal and popular educational aspect is developed in a sixth section entitled "Dropouts, Training, and other Urban Industrial Problems." The conference was wise enough to get the Negro outlook on the entire problem by inviting several to take a look at an area entitled "Business and Professional Jobs and Negro Leadership."

While it is impossible to summarize either the full contribution or the meaning of this book in the literature of the problem with which it is concerned in the limits of a review of this character, it can be said that from the standpoint of its origin and the spread of its concerns it marks something of a milestone in the scholarship of the problem. In the first place, the collection of papers run the gamut of the spectrum of reaction from "gloom and doom" to the highest enthusiasm of hope for the future. The best general characterization of the collection of papers is "realistic confrontation." Speaking either from the stance of empirical research or the pragmatic tutelage of experience, the conferees show a judiciousness and restraint which recommends their deliberations and their example to every scholar and person of good will who seek rational answers to the difficult question of equality of opportunity.

The basic contribution of the collection of papers will be seen in the beginning of the destruction of certain myths held on both extremes of the question of equal opportunity. While underscoring the truism that our technological society will continue to leave the disadvantaged further and further behind, the myth of the universal efficacy of legislation is seriously questioned as an instrument for opening opportunity in giant industry. The point is well made that industry is ready and willing if the disadvantaged are willing to make the sacrifice to train for the standards that the industry must hold to meet modern competition. Economic deterministsin the solution of the Negro problem who for years placed great faith in Unionism will also be sobered by the seriousness of the problem at this point of attack. Not the least revelatory section deals with community approaches. The papers reveal that much is being done in this field that is not generally known, and the scholars in the universities, sponsored by Chamber of Commerce and other funds, are coming up with answers that are needed. The Survey of Employer Association activities and the Lancaster, Pennsylvania Study are only examples of the kind of fruitful insight that would make this book "must" reading.

One cannot help remarking after the reading of a book of

this character how refreshing it is to see a treatment of the problem that eschews rabble-rousing and raw emotionalism and gets down to cases. Unfortunately, a book of this type will not be ballyhoed by the trade publisher (indeed, it is a University Press issue) because it lacks the titilating anger which the guilt complex of the popular reading market wallows in at the moment for kicks. One day when the crude vulgarism which passes in many esoteric circles as the literature of protest has lost vogue, the literate and the rational will need the knowledge of the papers of this symposium for guidelines in the projection of socio-economic solutions that will lead to creative social peace in this nation.

GEORGE RUBLE WOOLFOLK

Prairie View A & M College

Discrimination and The Law. Edited by Vern Countryman. (Chicago: University of Chicago Press, 1965, Pp. XIV, 170, Bibliography, Index)

Though abbreviated, this thin volume is no lawyer's brief either for or against discrimination. It is rather a summary of a conference held at the University of Chicago Law School under the sponsorship of the Anti-Defamation League of B'nai B'rith. The conference probed legal probabilities, legal doctrines, and constitutional principles *vis à vis* the reality of discrimination, especially in regard to the Negro. The participants probed well, and—whether in agreement or not—recognized the magnitude of the problem and the difficulty of finding solutions in law for social and moral problems that are older than the Republic: namely, the dilemma of finding justice and fair play for the Negro minority in American life. That the conference failed to come up with a solution is expected; that its scrutiny skillfully showed the inadequacy of the law and failure thereof, a fact apparent throughout the volume, is a tribute to the distinguished participants.

Serving as editor, Vern Countryman, Dean of the University of New Mexico Law School, writes both the introduction and conclusion, under chapters one and six. The other four chapters consist of four papers followed by critiques and discussions common to the usual programs of professional conferences. The four papers treat in order discrimination in employment, education, public accommodations, and housing. Dean Countryman shows his hand again in the volume (and in the conference as well) by authoring the paper on discrimination in employment. Alexander M. Bickel of the Yale University Law School writes the next paper on education. Thomas P.

Lewis of the University of Washington and Harold Harowitz of the Department of Health, Education and Welfare are authors of the last two papers. The papers can be read without difficulty by the layman; and the critiques and discussions enhance rather than detract from the value of the volume.

There is no doubt that the participants clearly see discrimination as a moral problem, as a moral wrong. As lawyers, however, they see it differently. Erwin N. Griswold, Dean of the Law School of Harvard, while seeing discrimination as basically a moral problem needing moral leadership, does not rule out the force of law in "establishing new patterns" for our society. Dean Countryman is even more optimistic in his view of the role of the law in combating discrimination. Though the law offered little protection to the Negro before 1940, he sees a turning point afterwards in the Supreme Court's change in interpretation, for example, in *United States* v. *Classic, Smith* v. *Allwright,* and *Brown* v. *Board of Education.* Specifically, he sees defensible hope in combating racial discrimination in violation of the Fourteenth Amendment. In addition, he sees that Congress could act under its commerce power, where the Fourteenth cannot, in fighting discrimination even at Mrs. Murphy's boarding house. William Ming, an attorney of Chicago, would agree with Countryman.

Not seeing eye to eye with Countryman, however, would be Jerre S. Williams of the School of Law of the University of Texas and Bickel of Yale. Williams would offer no apology for one individual to discriminate against another, "reason or no reason." Bickel sees the majority will (Southern or American) as being valid against the minority will (that is, the Negro).

Dean Jefferson B. Fordham of the Law School of the University of Pennsylvania questions whether one is looking in the right direction in looking to the courts. Certainly, Negro history would agree.

W. A. Low

Maryland State College
Princess Anne.

Negro Mecca: A History of the Negro in New York City, 1865-1920. By Seth M. Scheiner. (New York: New York University Press, 1965. Pp. 246. $6.50)

The "huddled masses" came in waves to the shores of New York harbor; first, the Dutch, then the English, the Irish, the Germans, the Jews and the Italians. Then, in the wake of World War I, came the darker immigrants, not from the County Cork, but from South

Carolina; not from St. Petersburg, but from Puerto Rico. By that time, the Statue of Liberty had doused her lamp and rolled up the welcome mat.

Although Negroes are often described as the latest "newcomers" to New York City, their story actually dates back to 1626; just three years after the original Dutch settlers established their short-lived New Amsterdam colony on the tip of Manhattan Island. From 1820, when non-whites constituted nearly 10 per cent of the city's population, the percentage of non-whites dropped to 1.3 in 1870, and did not rise again to the 1820 level until the 1950 decade.

The population decline is attributed to several factors by Mr. Scheiner, an assistant professor of history at Temple University. One of these was the severe restrictions placed upon slaves by Southern States in the 35 years preceding emancipation. Another factor was the hostility of white New Yorkers, which was most evident in the opposition to anti-slavery societies and in the bloody draft riots of 1863. Following the Civil War, the competition between ethnic groups for job and housing opportunities increased with each wave of immigrants. In this competition, employers and landlords generally preferred the European peasant to the American Negro. Almost all Negroes were squeezed into tight little ghettos, first in Greenwich Village, then in the Tenderloin and San Juan Hill districts, and finally in Harlem. And Negroes were plagued by racial conflict every step of the way.

Mr. Scheiner's account of a 1900 riot, resulting from the slaying of a white policeman, is perhaps the most illuminating section of the book. Newspapers quoted a magistrate's remark that white rioters had "acted like beasts, jumping on cars and attacking colored passengers indiscriminately." Yet only one white person—a small boy—was among the many Negroes hauled before the judge. It was the police, moreover, who led the general assault.

Thus Scheiner disposes of the idea that New York was a haven for Negroes until the mass migrations from the South. His book fills in the background that is neglected in such popular accounts of immigration as Oscar Hauldin's *The Newcomers: Negroes and Puerto Ricons in a Changing Metropolis,* and Nathan Glazer's and Daniel P. Moynihan's *Beyond the Melting Pot.* Also among the book's virtues is the author's meticulous index of his sources, giving future historians a valuable bibliography of the New York City scene.

It is unfortunate that Scheiner's careful scholarship is not matched by his interpretation and organization of his materials. The continuity suffers from the book's chapter by chapter chronology, causing the reader to jump back and forth between 1865 and 1920.

More importantly, the author rarely attempts to place New York in a national perspective. His landscape is full of interesting details—such as those on the career of T. Thomas Fortune—but these bits and pieces do not always enhance the broader canvas.

In sum, the student of Negro life in urban America will find that the pluses of *Negro Mecca* far outweigh the minuses. For the bibliography alone, Mr. Scheiner should move up to the head of the class.

LUTHER P. JACKSON, JR.

White Plains, N.Y.

White Protestantism and the Negro. By David M. Reimers. (New York: Oxford University Press, 1965, Pp. IV, 236).

Reimers, of the History Department at Brooklyn College, has surveyed the attitudes and actions of white Protestantism toward Negroes during the years from the founding of the first Negro denominations to the present.

In his preface the author, perhaps deliberately, fails to evade an everpresent danger in writing institutional history. He refers to "churchmen" and "churches." Which is to be "white Protestantism" is left unsettled. The "churches" are something different from counting the number of "churchmen." There is no doubt that the number of churchmen active in interracial civil rights activity has increased. But Reimers himself indicates that "the movement for truly interracial congregations—that is, churches in which all aspects of church life were open to all races—was still extremely limited by 1965 (p. 160)." It would have been useful if the author could have kept clearly separated these two aspects of "Protestantism." Some of the confusion in Reimers' presentation results from his not being clear about the distinction between "church leaders" and "churches."

Where race relations are concerned, the extra-church organizations come off best in Reimers' study. The Federal (now National) Council of Churches, the Episcopal Society for Cultural and Racial Unity (an unofficial group), and various other official and unofficial "social action" agencies of the denominations are the most active white "church-like" groups attempting to develop racial inclusiveness in Protestantism.

It comes as no surprise to the student of American culture to find that the official positions taken by most of the denominations throughout most of the period under consideration have reflected the official positions taken by the other institutions in the culture—the

schools, for example, or the political establishment. And though these positions seem increasingly liberal, Reimers indicates that

> One should be cautious in assigning much significance to such pronouncements. First, they did not bind individual congregations and church members; hence, they were not necessarily translated into action. Second, the resolutions coming from national bodies were usually formulated by the liberal clergy and laymen who tended at times to dominate such gatherings. Such statements did not necessarily represent the thinking of the rank and file. Finally, the pronouncements were often more significant for what they did not say than for what they said. (p. 96)

In his attempt to document the increasing liberality of the church (or churchmen) on the race question, the author is required to rely primarily on material of an anecdotal nature. He notes the lack of hard data which might be adequate to the job of determining the extent of racial inclusiveness. I would suggest that the lack speaks volumes on its own. And the problem of "churches" and "churchmen" is illustrated again here. One may find, more and more often, churchmen willing to risk a great deal (even death, these days) in order to make small moves toward racial justice. But one searches in vain for a concomitant development in local congregations black or white.

Dr. Reimers has provided us with what amounts to still another documentation of the way in which almost all of the major institutions in our society, not to mention the "great men," have resisted the attempt of the Negro American to become a part of the mainstream of American life.

THOMAS R. FRAZIER

New York Institute of Technology

The Forgotten Farmers: The Story of Sharecroppers in the New Deal. By David Eugene Conrad. (Urbana, Illinois: The University of Illinois Press, 1965. Pp. 223. $5.00)

In an era when New Deal material has gushed from the press praising, for the most part, the merits of well-known phases of FDR's administration, it is refreshing to read a book covering the lesser known and not so successful aspects of the program. The plight of tenant-farmers, white and Negro, under the Agricultural Administration Act was the thesis of this comprehensive study and particularly as it applied to the Southern economic structure.

This volume under consideration is divided into ten chapters with a conclusion and a Bibliographical note. The author, David Eugene Conrad, introduced the subject by giving a brief history of

tenant farming in the United States, then proceeded to follow the development of Southern tenancy by classifying the farmers into three groupings: the cash-tenant, the share-tenant and sharecropper.

Following a chapter devoted to the establishment of the AAA, Conrad unraveled a steady progression of events and circumstances which left little doubt as to the utter ineffectiveness of this program as it related to the needs of ALL farmers for whom it was originally intended. The volume then narrowed in scope, and concentration was limited to the cotton farmers of the South, especially in Arkansas. Each chapter revealed new instances of neglect and political non-interference by officials in the Department of Agriculture from Secretary Henry A. Wallace, recently deceased, down to lower-level policy makers. Conditions for the farmer in the South during the thirties were bad and accordingly the plight of tenant-farmers was worse. With Henry Wallace, an informed and sympathetic man heading the Department of Agriculture, farmers looked for a friend and ally. However, the idealism for economic recovery in the new AAA which was, according to Conrad, ". . . one of the most imaginative and far reaching means ever seriously considered by Congress" failed in its purpose. One reason for this was through the administration of cotton contracts given to the plantation owners in the South to prevent an over-production of cotton and which proved to be "a remarkable piece of pro-landlordism."

Most of the controversy over the cotton contracts centered around Paragraph 7, which dealt with the relationships of tenant farmers to the landlord. In wording the original contracts, Alger Hiss, at this time in good government standing, had clearly stated the contract proposition in terms of tenant status. This version was re-stated by the agriculturists of the AAA, and in the process became an ambiguous one—or as Conrad related, the problem became one of semantics and of interpretation—and affected tenant farmers all over the South as well as persons directly connected with the Act.

Within the Administration there were conflicting ideologies composed of conflicts in background and outlook. On the one hand there were men like Cully Cobb, George Peek, Chester Davis and others whom Conrad termed as "agrarians." On the other hand, particularly in the legal division, there were persons such as Alger Hiss, Gardner Jackson, Adlai Stevenson and Rexford Tugwell who were called "urban liberals." The author vividly presents an account of the anxieties and complexities which developed as a result of interpreting Paragraph 7 of the contracts and of the eventual purge of most of the urban liberals from the Department because of their efforts to aid the tenant farmers.

Perhaps the most interesting development as it applies to the Negro was the formation of the bi-racial Southern Tenant Farmers Union in eastern Arkansas. The Vice-President of the STFU was E. B. McKenney, a Negro. The efforts of the landlords to smash the union resulted in a "reign of terror" in this section which paralleled that of the current Civil Rights movement. The reader is repeatedly faced with incidents in isolated eastern Arkansas during the '30's which have repeated themselves across the nation in the drama of today. In one instance when tenant farmers were being evicted by the landlord, union men stood together and sang, "We Shall Not Be Moved." There was no reference to the Negro in the index although he was referred to frequently in the text. It should be kept in mind that the lot of the Negro was more depressed than that of the white in the Depression. The author neglects this fact but he emphasized another fact which is of equal importance—the good relations existing between Negroes and whites in the STFU and the recognition that common goals could be reached through joint enterprise. The author shows inability to avoid the stereotyped opinion of tenant farmers when he wrote of "the simple minds of tenant farmers . . ." Obviously there were those who could be so designated, but there were others who were not so.

Conrad concluded his study on Southern tenancy with the rational interpretation that "AAA failed to benefit great numbers of Southern tenants and even harmed many of them." He placed much of the blame on political considerations and the burdens of bureaucracy. The book was well written, based as it was upon manuscript collections and unpublished sources and was awarded the 1964 winning book by the Agricultural Historical Society.

PATRICIA ROMERO

Washington, D.C.

Robert C. Weaver has been appointed the first colored member of the President's Cabinet to head the new Department of Housing and Urban Development. He has had excellent training and nearly a generation of experience in Public Administration that eminently fit him for the duties and responsibilities.

Lorimer D. Milton, president of the Citizen's Trust Company of Atlanta, Ga., was honored by a testimonial dinner Jan. 27, 1966, at which Pres. J. M. Nabrit of Howard University was the speaker. The trust company over which Milton presides represents alone $15,000,000 and is evidence of his great business ability.

The North Carolina Mutual Life Insurance Company dedicated its new home office building at Durham, N.C., April 1-3, 1966. Representatives from the U.S. Treasury Department, Vice President Humphrey, and many other notables participated. The ceremonies included several seminars in the insurance and other business fields.

Willa Player has resigned the presidency of Bennett College, Greensboro, N.C., after serving since 1955 to accept a position in the U.S. Office of Education in Washington, D.C. She continued the late David D. Jones' reorganization and development of the college as a progressive small women's liberal arts institution.

Samuel P. Massie has resigned the presidency of N.C. College at Durham, N.C., after following in 1963 the very able administration of Alphonse Elder, an educator of distinction. Massie, a chemist, has been appointed professor of chemistry at the U.S. Naval Academy in Annapolis, Md.

James A. Colston has been elected president of Bronx, N.Y. Community College effective Sept. 1, 1966. He previously served as president of Bethune-Cookman College, Savannah, Ga. State College, and Knoxville College. Colston, a native of Florida, was trained at Morehouse College, Atlanta University, and New York University.

Constance Baker Motley has been appointed judge in a N.Y. District U.S. Court. She has had a very distinguished career as an outstanding lawyer and some of her greatest legal victories have been in civil rights cases in Georgia, Alabama, Florida, South Carolina, Tennessee, Arkansas, and Mississippi.

The Carnegie Corporation has awarded $300,000 to the Southern Regional Education Board in a project to improve 118 predominantly Negro Colleges in the South. The grant will provide assistance to the newly formed Commission on Higher Educational Opportunity in the South. The commission will be composed of educators and officials from the 15 member states of the Southern Regional Education Board.

Andrew F. Brimmer has been chosen by President L. B. Johnson as the first colored member of the Federal Reserve Banking Board. This body has surveillance over American banking and finance. Brimmer profoundly trained at the University of Washington and Harvard, has written extensively in the field of banking, and taught at the famous Wharton School of Finance.

John Hope Franklin left March 20, 1966, for a month in the Near East and South Asia. His itinerary will include Iraq, Syria, Cyprus, Israel, India, and Ceylon. President L. B. Johnson has reappointed him for another three-year term to the Board of Foreign Scholarships in behalf of which Franklin has gone on this long journey to interview and advise students planning to study in the United States.

Peter H. Robinson, a retired railway mail clerk, has donated $50,000 to Bethune-Cookman College. This contribution will be applied to the $250,000 Julia E. Robinson Memorial Music Hall in memory of his late wife. Ground will be broken for this structure and two more buildings in September, 1966, on the same campus.

The U.S. Supreme Court has ruled on the legal validity of the Civil Rights Act of 1965 and against the Poll Tax. Both of these decisions are path-breaking in the progress of voting rights which have long been disregarded in most Southern jurisdictions of the United States while the 14th and 15th Amendments were disregarded by the courts.

The Women's Archives of Radcliffe College have been named in honor of the late Arthur M. Schlesinger, Sr., and his wife, Elizabeth The new title will be: *The Arthur and Elizabeth Schlesinger Library of the History of Women in America.* This is a noble and deserved honor of America's greatest nestor of social and intellectual history.

Lorenzo D. Turner, world famous authority on African and Afro-American Linguistics, of Roosevelt University will be honored by four lectures and a dinner during April and May of 1966. He established at Roosevelt the first department of African Studies in the United States. His voluminous publications, travels, long residence in Africa, and lectures have earned for him unprecedented distinction as an international scholar and writer in the fields of African studies.

Frenise Logan is serving as U.S. Cultural Attache at the Embassy in Kampala, Uganda, East Africa. He has had two previous long lecture and teaching sojourns in India where he made a contribution to American cultural relations in that vast land of the East and neighboring regions. His recent book on the Negro in North Carolina established his reputation as a historian of promise.

Arthur B. Spingarn at 87 has retired as president of the

N.A.A.C.P. after serving since 1940. Kivie Kaplan succeeds Spingarn whose brother preceded him in this office during the dark years when civil and human rights for colored people had to linger through despondency with little hope for improvements which at long last have begun to flower with hope.

Howard University plans a year of observance of its 100th anniversary in 1967. There will be a series of centennial programs in which scholars, educators, and leaders throughout the world will participate. Rayford W. Logan and Sterling Brown are preparing a history of the institution which is the largest of its kind serving predominantly colored people from all parts of the world.

Bishop College has broken ground for a $700,000 chapel which is the gift of an anonymous donor. The college was founded at Marshall, Texas, and moved to Dallas in response to large donations which were an inducement to move under happier circumstances and prospects for the future. Bishop, like Morehouse, Spellman, and Virginia Union, was founded by Northern Baptists in their great crusade after the Civil War for the education of colored people in the South before local states made beginnings in the field.

The psychologist Kenneth Clark says that the predominantly colored schools North and South are so bad that they are turning out hundreds of thousands of graduates who cannot read and write or do simple arithmetic! This criticism from a scholar and authority in the field will, no doubt, stimulate far-reaching endeavors for improvement.

The United States Committee for the first World Festival of Negro Arts have announced a list of artists to participate in the festival April 1-24, 1966 in Dakar, Senegal. Among the notable Americans are: Marian Anderson, Langston Hughes, St. Clair Drake, Hale Woodruff, and Warner Lawson. Forty nations will participate in the unprecedented meeting.

Military coups have ousted the civil leaders in the following African countries that had gained their independence: Congo, Dahomey, Central African Republic, Upper Volga, Nigeria, and Ghana. While many such coups have taken place in other countries, those in Africa have attracted special attention. Lacks of education, economic, and political experience seem to be the principal causes responsible for the disruptions.

Eugene Carson Blake, distinguished leader in American civil rights movements, has been elected General Secretary of the World Council of Protestant Churches. Blake, who has headed the 3.3 million United Presbyterians in the United States, will have a wider parish in which his great leadership and humanity will be needed.

Algernon O. Steele died Jan. 17, 1966, after a distinguished career as scholar, teacher, and author. He was trained at Johnson C. Smith, Garrett Biblical Institute, Northwestern, and the University of Chicago. Returning in 1932, Steele was a pioneer in the development of a community of scholars at Smith which had experienced a "slough of despond" from 1891-1947. His best and last book was *The Questing Christ,* a rare work in the Social Gospel.

The Annual Meeting of the Association for the Study of Negro Life and History will be held in Baltimore, Maryland, October 20-22, 1966. Morgan State College History staff is arranging the program on which will appear a variety of speakers. This meeting has not been held in Baltimore since 1923 and the outlook is splendid with convenient possibilities for travel by railway, plane, or automobile.

CORRECTION

"David Davis" in line 17 on page 54 of the January (1966) *Journal of Negro History* should have been "David Donald."—W.M.B.

Just published . . .

A History of Negro Slavery in New York

Edgar J. McManus

Foreword by Richard B. Morris

Of this study of Negro slavery in New York from the early 1600's to its ultimate legal termination in 1841, Morris says, "It was a tragic paradox . . . that under the system of slavery Negroes were trained to pursue a great variety of crafts and occupations while under the status of freedom they were virtually abandoned and systematically pauperized. This is a dark chapter in the history of the state, but it needs telling. Dr. McManus's book does more than provide information on a crucial subject. It offers understanding, and it is written in a spirit of deep compassion." *$5.95*

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THE REDISTRIBUTION OF THE NEGRO POPULATION OF THE UNITED STATES, 1910-1960

That a great redistribution of the Negro population of the United States took place between 1910 and 1960 is well known, and that this fact has tremendous implications for social and economic life throughout the nation is widely accepted. Nevertheless, even the more general aspects of the changing distribution of the Negro population has never been thoroughly explored, and many of the significant changes within a given community, district, state, or region still are awaiting analysis and description.[1] This paper summarizes the principal results secured by the present writer in his attempt to determine the major changes in the distribution of the Negro population of the United States since 1910.

Most of the data are, of course, those gathered in the decennial censuses of the United States. A large share of the work involved was that of sorting and recombining the materials found in the "store house" tables which appear in the census reports for various years into "analytical" tables of several types, so as to determine relationships and trends and to be able to test the validity of various ideas or hypotheses which have occurred to the writer or which he had garnered through reading and in conversations with others. A substantial amount of effort, though, went into the preparation of maps (see Figures 1 and 2) showing the distribution of the Negro population of the United States in 1910 and 1960, re-

[1] Wesley C. Calef and Howard J. Nelson, "Distribution of Negro Population in the United States," *Geographical Review*, Vol. 46, No. 1 (January, 1956), have given some attention to changes between 1940 and 1950 in the distribution of the Negroes; and C. Horace Hamilton, "The Negro Leaves the South," *Demography*, Vol. I, No. 1 (1964), is a well-done study of one important aspect of the redistribution of the Negro population.

spectively. A careful study and comparison of these two maps served especially to indicate significant changes, which later were measured more accurately by specific manipulations of the available census data.

The phases of the general topic treated in this article are as follows: (1) the extent to which, until the outbreak of the First World War, the Negro remained in the plantation sections of the South, the areas to which he had been carried as a slave; (2) the strong movement to northern cities which got underway during the First World War; (3) the crowding of rural Negroes into southern towns and cities; (4) the heavy movement of Negroes to the cities on the Pacific Coast which began during the Second World War; and (5) the redistribution of the Negro population within the rural areas of the southern region.

The Long-Continued Concentration of Negroes in the Plantation South

The 1960 pattern of the distribution of the Negro population of the United States had faint resemblance to that which prevailed as late as the outbreak of the First World War. (See Table I and compare Figures 1 and 2.) As shown by the data gathered in the Thirteenth Decennial Census of the United States, which are mapped in Figure 1, in 1910 the Negro population still remained highly concentrated in the plantation sections of the South. Furthermore, it is evident from study of the materials presented in Table I that over two-thirds of all the Negroes in the United States, as of that date, were located in the rural portions of twelve southern states (Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, and Texas). As a matter of fact, while the Negro population of the United States increased from 4,441,830 in 1860 to 9,827,763 in 1910, the members of this racial group remained in their customary surroundings to the extent that the proportion the Negro population of these twelve states made up of the national total fell only slightly, or from 86.6 per cent in 1860 to 83.3 per cent in 1910. Even in the rural sections of these twelve states, the Negro population increased every decade of the period, almost doubled during

the half century involved, and was at the maximum ever attained (6,592,505) at the end of the epoch.

These materials make it evident that for more than half a century, while the native white and immigrant populations of the nation were pushing westward, filling up the newly opened sections of the country, making farms and homes of their own on the land that was to be had for the taking, the Negro population hardly budged from the same restricted portions of the country which it occupied at the time slavery was abolished.[2] There was some tendency, it is true, for the "black belt" to become gray, but the expansion of its limits was slow. More important is the fact that the Negro inhabitants of urban centers in the twelve states increased from 190,518 in 1860 to 1,597,260 in 1910, a development which accounts for the numerous substantial aggregations of urban Negroes throughout the Southern Region which are depicted in Figure 1. In this connection, it is interesting to note that in 1910 the bulk of the Negroes residing outside the twelve states mentioned above consisted of the 94,446 in Washington, D.C., the 91,709 in New York, the 84,749 in Baltimore, the 84,459 in Philadelphia, the 44,103 in Chicago, and the 43,960 in St. Louis. In the year under consideration, the date of the last census prior to the flood tide of Negro migration from the South to northern cities loosed by the First World War, there were only six other cities outside the twelve southern states on which attention has been focused in this paper with Negro populations of more than 10,000. These cities are as follows: Boston, 13,564 Negroes; Cincinnati, 19,639; Columbus (Ohio), 12,739; Indianapolis, 21,816; Kansas City (Missouri), 23,566; and Pittsburgh, 25,623.

Throughout the twelve southern states, however, despite the fact that they remained highly rural in character, there were 30 cities in which the Negro segments of the population totaled more than 10,000. These included New Orleans, with 89,262 Negroes, which only recently had lost the position it long maintained as the city having the largest Negro population, Birmingham (52,305 Negroes), Memphis (52,441), Atlanta (51,902), Richmond (46,733), and Louisville (40,522).

[2] Cf. T. Lynn Smith, *Population Analysis*, New York: McGraw-Hill Book Company, 1948, p. 78.

In addition, Augusta, Charleston (South Carolina), Charlotte, Chattanooga, Columbia (South Carolina), Dallas, Fort Worth, Houston, Jackson, Jacksonville, Little Rock, Macon, Mobile, Montgomery, Nashville, Norfolk, Pensacola, Petersburg, Portsmouth (Virginia), San Antonio, Savannah, Shreveport, Vicksburg, and Wilmington (North Carolina) all figured in the list.

The Exodus from the South to Northern Cities

Apparently the distribution of the Negro population which prevailed in 1910, and which is mapped in Figure 1, changed little until about 1916, that is, until the full effects of the First World War upon immigration, industry, and other aspects of national life began to be felt. As early as June, 1916, though, "the attention of the Department of Labor had been called to a disturbing labor condition in the South. A great migratory stream of Negro wage earners was reported as flowing out of southern and into northern states. . . ."[3] Estimates of the total numbers involved during a period of only slightly more than one year (from about June, 1916 to September, 1917), ranged from 150,000 to 350,000, with 200,000 being given as the most reasonable figure; and the totals for various states ranged from 75,000 to 90,000 leaving Alabama, 35,000 to 50,000 departing from Georgia, and 75,000 to 100,000 moving north from Mississippi.[4] After an adequate basis for stocktaking was provided by the 1920 Census, one could determine that the following great increases in the Negro populations of northern cities had taken place during the decade that had just elapsed: Chicago, up 65,355, to 109,458, a change of 148 per cent from the 1910 figure; New York, up 60,758, to 152,467, a gain of 66 per cent; Philadelphia, up 49,770, to 134,229, an increase of 59 per cent; Detroit, up 35,097, to 40,838, an upsurge of 611 per cent; Cleveland, up 26,003, to 34,451, a gain of 308 per cent; and St. Louis, up 25,894, to 69,854, a change of 59 per cent. The other cities, located outside the twelve southern states to which special attention

[3] "Letter of Authorization by the Secretary of Labor," W. B. Wilson, in U.S. Department of Labor, *Negro Migration in 1916-17: Reports by R. H. Leavell, T. R. Snavely, T. J. Woofter, Jr., W. T. B. Williams and Francis D. Tyson,* Washington: Government Printing Office, 1919, p. 7.

[4] *Ibid.,* p. 11, and *passim.*

is given in this paper, in which substantial additions in the Negro population took place between 1910 and 1920 are Baltimore, Washington, Pittsburgh, Cincinnati, and Columbus (Ohio), where the increases totaled 23,573, 15,520, 12,102, 10,440, and 9,442, respectively. In addition, during the decade under consideration the Negro populations of the following cities passed the 10,000 mark: Atlantic City, Kansas City (Kansas), Los Angeles, Newark, Omaha, and Wilmington (Delaware).

Certainly nearly all, if not the entire amount of this change in the Negro populations of northern industrial cities was due to the migration of Negroes from the South to the North. Certainly, too, most of the migrants came from the rural portions of the twelve southern states specified above. It is interesting to note, though, that the Negro populations of some of the southern cities fell off during the decade under consideration, which undoubtedly indicates that they too had lost part of their Negro populations to the industrial centers north of the Ohio River. The specific cities losing Negro population between 1910 and 1920, along with the amount of the decrease in each case, are as follows: Austin, 557; Danville (Virginia), 529; Jackson, 618; Louisville, 435; Lynchburg (Virginia), 1,137; Meridian (Mississippi), 978; Nashville, 870; Tyler (Texas), 72; and Vicksburg, 2,905.

Economic depression struck in full force in the rural sections of the United States early in the decade 1920 to 1930, whereas until 1929, or until only a few months prior to the 1930 Census, most of the urban portions of the nation enjoyed a high degree of prosperity. Under these circumstances it is not to be wondered at that a tremendous flow of population from the farms to the cities took place during the ten years involved;[5] and it would have been strange indeed had the exodus from the rural South to the great industrial centers of the North been slowed up or halted. That nothing of this sort took place is evidenced abundantly by the fact that the Negro population of New York increased by 175,239 (115 per cent) during the decade, that of Chicago by 124,445 (114 per cent), that of Philadelphia by 83,370 (64

[5] For the data on this, see T. Lynn Smith, *The Sociology of Rural Life*, third edition, New York: Harper and Brothers, 1953, pp. 164-165.

per cent), that of Detroit by 79,228 (194 per cent), and that of Cleveland by 37,448 (109 per cent). Other substantial increases in cities outside the twelve southern states which figure in this analysis, arranged according to magnitude in decreasing order, are as follows: Baltimore, 33,784; St. Louis, 23,726; Los Angeles, 23,315; Washington, 22,102; Newark, 21,902; Cincinnati, 17,739; Gary, 12,693; Pittsburgh, 11,258; and Columbus, 10,573. The increase in Gary was especially spectacular, since in 1920 its Negro population totaled only 5,299 persons. In addition to Gary, increases in the following cities, all located outside the twelve southern states, were sufficient to place them in the category of those having Negro populations of more than 10,000 in 1930: Akron, Buffalo, Camden, Dayton, Jersey City, Oklahoma City, Toledo, Tulsa, and Youngstown.

The net effect of the exodus of Negroes from the South to northern industrial cities, during the years of the First World War and the decade of prosperity in industry and depression in agriculture which followed it, is strikingly shown by the figures for the five great industrial centers to which Negroes had flocked in the greatest numbers, namely, New York, Chicago, Philadelphia, Detroit, and Cleveland. In 1910 the Negro populations of the five taken together numbered only 234,460, or the equivalent of 2.4 per cent of the Negroes in the United States or 8.7 per cent of the nation's urban Negroes. Furthermore, these numbers and proportions probably changed very little prior to 1915. By 1930, however, the same five cities had a total Negro population of 973,173, 8.2 per cent of all the Negroes in the United States and 18.7 per cent of the nation's urban Negro population.

The materials presented in Table II also bring out strikingly the radical manner in which the movement to localities outside the twelve southern states (and mostly to northern cities) changed the distribution of Negroes in the United States during the First World War and the decade which followed it. Note particularly that during the half century ending in 1910, the increase in Negro population in the twelve southern states amounted to four-fifths of the total increase in the members of that colored race. For the decade 1910-1920, however, only 16 per cent of the increase in the nation's Ne-

gro population is accounted for by the change in the designated southern states, and for the decade 1920-1930 only 24 per cent.

The depression years of the early 1930's halted much of the flow of Negro population from the southern region, but the movement was resumed as the defense program got well underway in 1938 and 1939. Even so, however, in the interim between the censuses of 1930 and 1940, almost one-half of the increase in the Negro population was accounted for by the changes in the twelve southern states. Then in the ensuing ten years, a period in which the full impact of the Second World War was experienced, the movement of southern Negroes to northern cities reached its all-time high. Data showing the numerical increases of the Negro populations of the five great cities mentioned above during the decades 1920-1930, 1930-1940, 1940-1950, and 1950-1960 reflect the heavy movement during the 1920's, the reduction of the migratory currents during the 1930's, and the resumption of the exodus of southern Negroes to northern cities on an even greater scale in the 1940's and 1950's. With the figures for the four decades given in chronological sequence, these data are as follows: New York, 175,239, 130,738, 289,164, and 337,254; Chicago, 124,445, 43,828, 214,534, and 320,571; Philadelphia, 85,370, 31,281, 125,161, and 153,150; Detroit, 79,228, 29,053, 151,387, and 181,754; and Cleveland, 37,448, 12,605, 63,343, and 103,042. As a result, as shown by the 1960 Census, the number of Negroes living in these five cities totaled 3,160,038, a sum equal to 17 per cent of all the Negroes in the United States and one larger than the combined Negro populations of Arkansas, Florida, Kentucky, Virginia, and Tennessee.

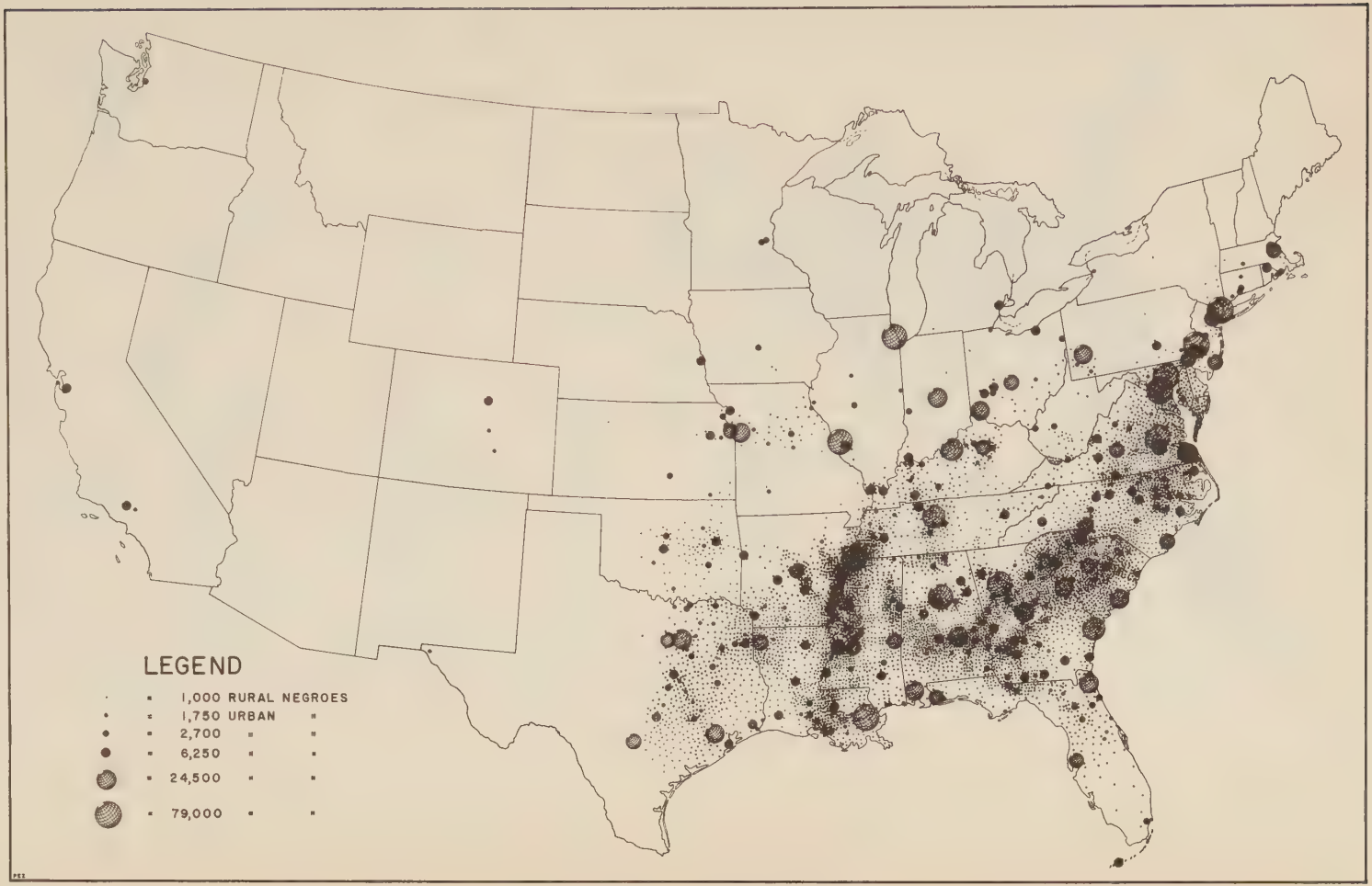
It is evident from Figure 2 that the Negroes migrating from the South to the North have settled almost exclusively in cities, and for the most part in only a few of the larger urban centers. As yet they have not begun to permeate the rural sections of the North or the West to any extent. As a matter of fact, even in 1960, only 2.2 per cent of the nation's Negro rural-farm population lived outside the southern region as defined for Census purposes, and less than 4 per cent (only 57,966 persons) outside the twelve southern states which figure prominently in the present analysis.

The Movement of Negroes to Southern Cities

The movement of rural Negroes to southern towns and cities represents a second substantial aspect of the redistribution of the Negro population since 1910. Its significance should by no means be obscured by the spectacular nature of the migration of Negroes from the South to northern cities which got underway during the First World War, nor depreciated in comparison with the exodus of southern Negroes to the cities of the West Coast (to be discussed below) which was so heavy during the Second World War. Three features of the rural-to-urban migration within the southern region merit special attention. These are the fact that it got underway in substantial proportions long before the exodus to the North began, that it was not brought practically to a halt during the depression years of the 1930's, and that by 1960 almost a third (30 per cent) of the Negroes in the United States were residents of the towns and cities located in the twelve southern states to which special attention is given in this paper.[6]

As was indicated above, in 1860 the Negro population of the United States resided (and as slaves) almost exclusively in these twelve southern states. They contained 88 per cent, and their rural districts alone 83 per cent, of all the Negroes in the United States. (See Table I.) At that time only 7.3 per cent of the inhabitants of these selected states, and only 4.9 per cent of the Negroes living in them, were residents of towns and cities having populations of 2,500 or more. The unsettled conditions accompanying the Civil War, the freeing of the slaves, and the aftermath of these two great social upheavals resulted in a considerable movement of the freedmen to southern towns and cities. (See Table II.) Soon, however, or about 1870, the introduction of the sharecropping system on southern plantations and farms again stabilized the social and economic affairs in the rural districts and helped tie the Negroes to the land. Nevertheless, over the 50-year period ending in 1910, the urban Negro population of the twelve southern states waxed steadily in importance, increasing consistently,

[6] The corresponding proportion for the Southern Region as defined for Census purposes is 35 per cent.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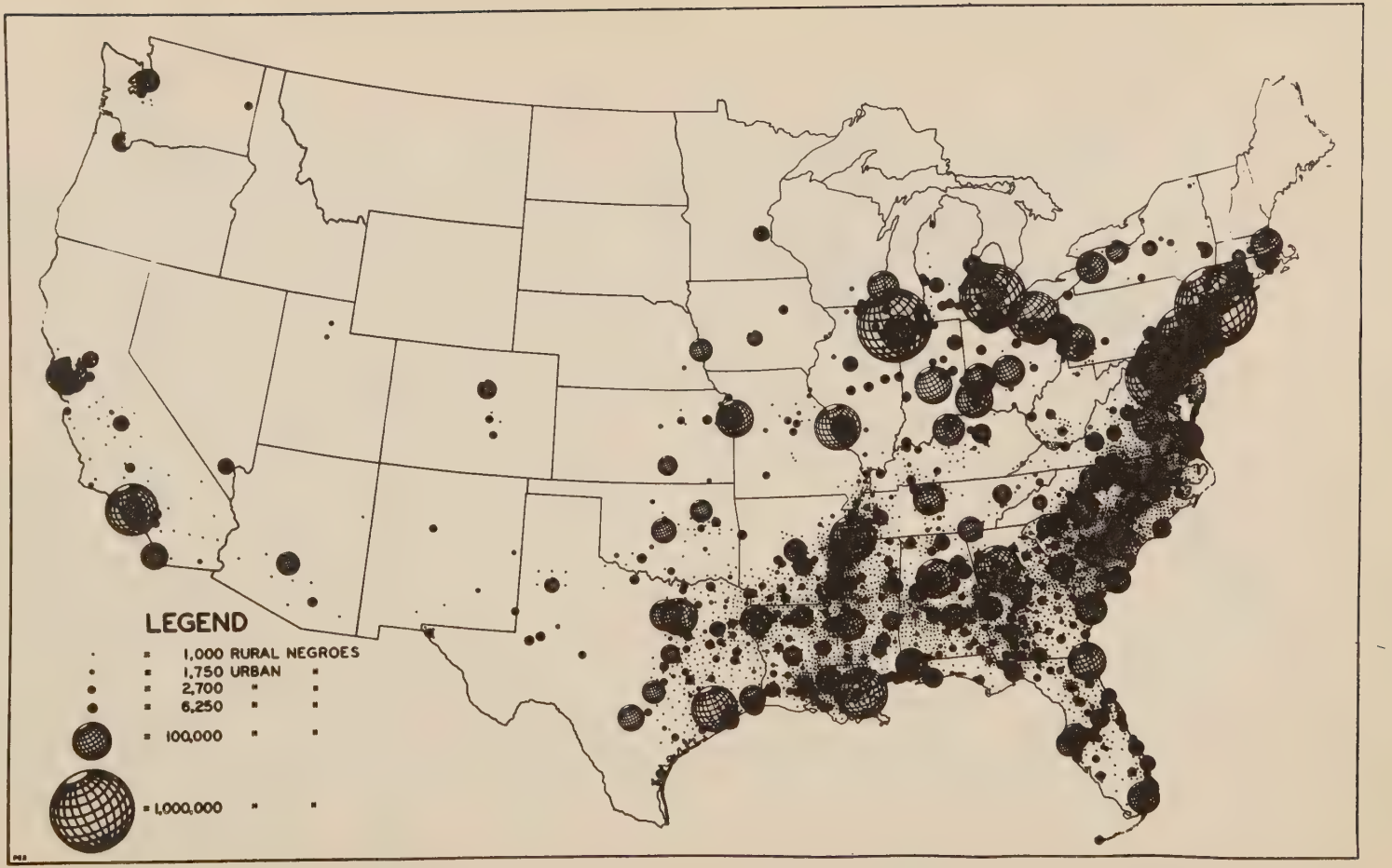
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TABLE I

NEGRO POPULATION OF THE UNITED STATES AND OF TWELVE SOUTHERN STATES, 1860 TO 1960*

Year	Total Negro population	Negroes in 12 Southern states[a]		Negroes in rural portions of 12 Southern states[a]		Negroes in urban portions of 12 Southern states[a]	
		Number	Per cent of total	Number	Per cent of U.S. total	Number	Per cent of U.S. total
1960	4,441,830	3,890,037	87.6	3,699,519	83.3	190,518	4.3
1870	4,880,009	4,161,242	85.3	3,822,402	78.4	338,840	6.9
1880	6,580,793	5,631,749	85.6	5,197,264	79.0	434,485	6.6
1890	7,488,676	6,386,663	85.3	5,524,826	73.8	861,837	11,5
1900	8,833,994	7,471,323	84.6	6,316,078	71.5	1,155,245	13.1
1910	9,827,763	8,189,756	83.3	6,592,505	67.1	1,597,260	16.2
1920	10,463,131	8,291,698	79.3	6,358,584	60.8	1,933,114	18.5
1930	11,891,143	8,633,437	72.6	6,072,896	51.1	2,560,541	21.5
1940	12,865,518	9,092,943	70.7	5,983,325	46.5	3,109,618	24.2
1950	15,042,286	9,254,664	61.5	5,075,807	33.7	4,178,857	27.8
1960	18,837,067	10,078,310	53.5	4,468,155	23.7	5,610,155	29.3

*Source of data: compiled and computed from various reports of the U.S. Census of Population.

[a]Virginia,North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, and Texas.

TABLE II

INCREASE OF THE NEGRO POPULATION DURING EACH DECADE, 1860 TO 1960, IN THE UNITED STATES AND THE TWELVE SOUTHERN STATES, BY RURAL AND URBAN RESIDENCE*

Decade	Total commercial increase	Increase in the twelve Southern states					
		Rural and urban		Rural		Urban	
		Number	Per cent of national total	Number	Per cent of national total	Number	Per cent of national total
1860-1870	438,179	271,205	61.9	122,883	28.0	148,322	33.9
1870-1880	1,700,784	1,470,507	86.5	1,374,862	80.9	95,645	5.6
1880-1890	907,883	754,914	83.2	327,562	36.1	427,352	47.1
1890-1900	1,345,318	1,084,660	80.6	791,252	58.8	293,408	21.8
1900-1910	993,769	718,442	72.3	276,427	27.8	442,015	44.5
1910-1920	635,368	101,933	16.0	–233,921	- -- -	335,854	52.9
1920-1930	1,428,012	341,739	23.9	–285,688	-- --	627,427	43.9
1930-1940	974,375	459,506	47.2	– 89,571	- ---	549,077	56.4
1940-1950	2,176,768	161,721	7.4	–907,518	- --	1,069,239	49.1
1950-1960	3,794,781	823,646	21.7	–607,652	------	1,431,298	37.7
1860-1910	5,385,933	4,299,728	79.8	2,892,986	53.7	1,406,742	26.1
1910-1960	9,009,304	1,888,545	21.0	–2,124,350	-- ---	4,012,895	44.5
1860-1960	14,395,237	6,188,273	43.0	768,636	5.3	5,419,637	37.6

*Source of data: compiled and computed from various reports of the U.S. Census of Population.

as one census succeeded another, from 190,518 in 1860 to 1,597,-260 in 1910. The difference between these two figures (1,406,-742 persons) represents slightly more than one-fourth of the total increase of Negro population in the United States during the half century involved. As a result, by 1910 16.2 per cent of the nation's Negroes were residents of urban centers in the twelve selected southern states, and urban Negroes made up 19.5 per cent of the Negro populations of the same states, a figure which may well be compared with the proportion of 20.2 per cent urban for the total population of those states.

As indicated above, the exodus of Negroes from the South to northern cities, which began on a huge scale about 1915, resulted in a loss of Negro population by some cities, but even so the proportion of the nation's Negroes resident in the urban centers of the twelve states moved up to 18.5 per cent in 1920. Thereafter it also continued to rise rapidly and steadily until it amounted to 29.8 per cent in 1960. (See Table I.) The rural Negro populations of these states, on the other hand, fell sharply, going down from the all-time high of 6,592,505 in 1910 (when more than two-thirds of all the Negroes in the United States were included) to 4,468,155 (or less than one-fourth of the nation's Negroes) in 1960.

In sharp contrast to the trend in the migration of Negroes to northern cities during the depression years, the movement of Negroes from the rural to the urban portion of the southern region did not slow down. As a matter of fact, as is evident from the data in Table II, during the decade 1930 to 1940 the increase of Negroes in the towns and cities of the twelve southern states amounted to 549,077, or 56.4 per cent of the total increase in the Negro population of the nation. Furthermore, although for the entire period 1910 to 1960 the increased Negro populations of the urban portions of these twelve states accounted for 45 per cent of the total change for the United States, the interim between the 1930 and 1940 censuses was the period for which the proportion was at its maximum.

Finally, stress should be placed upon the fact that by 1960 5,610,155 Negroes were living in towns and cities located in the twelve selected southern states. This was the equivalent of 30 per cent of the total Negro population of the United

States. Moreover, in the South as elsewhere, a substantial portion of the persons classified in the rural-nonfarm category actually belong in the urban, and it is likely that an analysis would show that this is especially true of Negroes. If some allowance is made for this factor, it is probable that in 1960 well over one-third of the Negro population of the United States was living in towns and cities of the twelve selected southern states.

The Movement to West-Coast Cities

As is clearly shown by an examination of Figure 1, prior to 1910 practically no Negroes had found their way to the states on the Pacific Coast. The 1910 Census reported only 7,599 Negroes in Los Angeles, 3,055 in Oakland, 2,296 in Seattle, and 1,642 in San Francisco, the only places containing as many as 1,000 persons of this racial category. The Negro population of Los Angeles rose rather sharply thereafter to 15,579 in 1920, 38,894 in 1930, and 63,774 in 1940, but on the eve of Pearl Harbor, as revealed by the 1940 Census, there was no other city in the states of California, Oregon, and Washington having as many as 10,000 Negro inhabitants. Following the outbreak of war with Japan, however, and the far-flung military operations this called for throughout the Pacific, an insatiable demand for labor developed in the cities on the West Coast. This resulted in a mass exodus of Negroes from many sections of the rural South in a movement reminiscent of that to northern cities during the First World War. Likewise the attraction remained strong even after the war was over. As a result, when the results of the 1960 Census were tabulated Los Angeles had a Negro population of 334,763, Oakland one of 83,104, San Francisco one of 73,903, and San Diego one of 34,010. In addition, Florence-Graham, Richmond, Pasadena, Sacramento, Fresno, and Vallejo in California, along with Seattle in Washington and Portland in Oregon had Negro populations of more than 10,000. Moreover, numerous other towns and cities in the three Pacific states also contained sizeable numbers of Negro inhabitants. (See Figure 2.) Most of these Negroes, or a total of 883,861 persons, were in California, but by 1960 Oregon had a Negro population of 18,133 and Washington one of 48,738. These

totals compare with those of 124,306, 2,565, and 7,424, for the three states, respectively, in 1940.

Redistribution within the Rural South

The materials presented above make it evident that the rural portions of the twelve southern states have been the sources that have fed the heavy migratory currents of Negroes to northern cities, to cities in the southern region, and to the cities of the Pacific Coast. The general rural category as used for Census purposes, however, is an extremely heterogeneous affair. Even after substantial changes were made in the definition of urban, in connection with the 1950 Census, large but undetermined segments of the truly urban population remained in the rural-nonfarm part of those who were classified as rural. For this reason in considering the changes that have been taking place in the distribution of the Negro population within the rural portions of the southern region, it is well to begin by examining separately the changes in the rural-farm and rural-nonfarm parts of the general rural category. It is possible to do this for all censuses from that of 1920 to the one for 1960.

As might be expected, because as one Census succeeded another truly urban people (i.e., those living in the built-up areas just beyond the corporate limits of towns and cities) came to form larger and larger proportions of the rural-nonfarm category, the numbers of Negroes so classified increased substantially between 1920 and 1960. If the Census South is used for purposes of the comparisons, the Negro rural-nonfarm population rose from 1,626,919 in 1920 to 3,249,077 in 1960, or an increase of 99.7 per cent. Most of the increase took place between 1950 and 1960, when the absolute increase amounted to 1,010,924. On a relative basis the changes during the four decades involved were: 1920-1930, 9.8 per cent; 1930-1940, 4.5 per cent; 1940-1950, 19.9 per cent; and 1950-1960, 45.2 per cent. If only the twelve southern states singled out for special attention in this paper are used as the basis for the comparisons, then the changes in the Negro rural-nonfarm population are as follows: the total rose from 1,655,211 in 1920 to 3,035,077 in 1960, an increase of 83.4 per cent; the bulk of this increase (989,216) came in the decade 1950-1960; and

the relative change decade by decade was as follows: 1920-1930, 6.6 per cent; 1930-1940, 3.4 per cent; 1940-1950, 12.7 per cent; and 1950-1960, 48.4 per cent. These data make it obvious that Negroes are concentrating in the outskirts of southern towns and cities in considerable numbers, and that this tendency has become more pronounced since 1950. It is, no doubt, merely another aspect of the movement to urban centers which was treated above.

When the data for the rural-farm population are considered separately, the tremendous loss of Negro population in the truly rural sections of the South stands forth clearly. In the twelve southern states taken collectively, the Negro rural-farm population fell from 4,703,373 in 1920 to only 1,424,005 in 1960, a loss of 3,279,368 persons (69.7 per cent) during the forty-year period. By decades the decreases on a relative basis were as follows: 1920-1930, 8.4 per cent; 1930-1940, 3.5 per cent; 1940-1950, 27.1 per cent; and 1950-1960, 53.0 per cent. It is important to note that the "depression" decade of the 1930's was the one in which the Negro rural-farm population of the twelve states decreased the least, and that the decade ending in 1960, and whose trends appear to have continued to the present, was the one in which the major part of the exodus occurred.

Quite naturally, the pattern of change has been different in various sections of the southern region, and this has resulted in a distribution of the remaining Negro farm population that is very different from that prevailing in 1920. The data on a state basis which are most pertinent for an examination of this aspect of the subject have been assembled in Table III. These indicate that only two states, Mississippi and North Carolina, actually had Negro rural-farm populations in 1960 that were half as large as those they had in 1920. In the case of Mississippi, however, and that of Louisiana as well, the Negro rural-farm population increased between 1920 and 1930 and also between 1930 and 1940. In Georgia, the group under consideration declined by 621,000 (82.3 per cent) between 1920 and 1960. Similarly in South Carolina the number of rural-farm Negroes fell off by more than 450,000 during the four decades, in Alabama by over 390,000, and in Texas by more than 350,000. On the relative basis, the

TABLE III

CHANGES IN THE NEGRO RURAL-FARM POPULATION OF THE STATES IN THE CENSUS SOUTH, 1920-1960*

Division and state	Negro rural-farm population							
	Number		Decrease: 1920-1960		Per cent change by decades			
	1920	1960	Number	Per cent	1920-1930	1930-1940	1940-1950	1950-1960
Census outh	4,857,282	1,449,290	3,407,992	70.2	− 8.5	− 3.9	−27.5	−53.2
South Atlantic	2,333,258	700,208	1,633,050	70.0	−16.8	− 3.4	−25.9	−49.6
Delaware					−24.6	+ 2.4	−43.8	−58.5
Maryland	62,930	14,960	47,970	76.2	−29.6	− 2.0	−30.1	−50.6
Virginia	308,013	92,130	215,883	70.1	−15.9	+ 1.0	−33.6	−80.0
West Virginia	4,021	588	3,433	85.4			−13.1	−39.6
North Carolina	467,294	252,044	215,250	46.1	− 6.5	− 3.5	−24.7	−49.4
South Carolina	639,470	186,938	452,532	70.8	−22.1	− 1.5	−35.0	−59.5
Georgia	754,975	133,923	621,052	82.3	−26.4	− 8.5	−29.1	−67.9
Florida	87,602	18,012	69,590	79.4	−13.9	+ 4.9	−18.8	−51.2
East South Central	1,335,871	516,829	819,042	61.3	− 1.5	− 0.8	−39.4	−37.1
Kenutucky	73,267	15,824	57,443	78.4	−34.7	−13.2	−23.6	−36.6
Tennessee	203,018	78,616	124,402	61-3	−14.0	− 7.1	−33.5	−60.8
Alabama	515,082	124,664	390,418	75.8	− 3.6	− 3.8	− 5.0	−49.8
Mississippi	544,504	297,725	246,779	45.3	+ 9.6	+ 4.6	−40.7	−64.7
West South Central	1,188,153	232,253	955,900	80.5	− 0.1	− 8.0	−33.8	−63.0
Arkansas	333,636	72,900	260,736	78.1	− 2.7	− 8.3	−33.8	−63.0
Louisiana	361,301	91,198	270,103	74.8	+ 3.1	+ 2.2	−38.4	−61.1
Oklahoma	78,005	8,124	69,881	89.6	− 1.9	−26.0	−50.2	−72.3
Texas	415,211	60,031	355,180	85.5	− 1.3	−13.5	−47.3	−67.9

*Source of data: compiled and computed from various reports of the U.S. Census of Population.

decrease was greatest in Oklahoma (89.6 per cent), followed by Texas, West Virginia, Georgia, and Delaware, all with percentages above 80.

The heavy losses of Negroes by the farms of the rural South in the early part of the 40-year period pale into insignificance in comparison with those after 1950. Thus during the 1920-1930 decade, though heavy decreases (more than 20 per cent) took place in Delaware, Maryland, South Carolina, Georgia, and Kentucky, lighter ones occurred in all other southern states except Mississippi and Louisiana. In the 1930's, when the migration of Negroes from farms was sharply reduced in comparison with that during the preceding decade, small increases in the Negro rural-farm population were registered in Delaware, Virginia, West Virgina, Florida, Louisiana, and Mississippi, but decreases of 26, 14, and 13 per cent, respectively, occurred in Oklahoma, Texas, and Kentucky, and small ones in the remaining southern states.

In the course of the period 1940-1950, in which the Second World War contributed heavily to the redistribution of the Negro population of the United States, on the relative basis the heaviest decreases in the Negro rural-farm population were in Oklahoma, Texas, Delaware, and Kentucky, but losses of more than 30 per cent also took place in Louisiana, Georgia, Alabama, Arkansas, West Virginia, Virginia, and Maryland. Even Mississippi had 5 per cent fewer Negroes on her farms at the close of this decade than at its opening, and North Carolina also lost relatively few (13 per cent) of her Negro rural-farm population during the ten years involved.

The decade 1950-1960, however, was the one in which the Negro exodus from southern farms reached its climactic proportions. This was the time when the pressures of two almost inexorable forces made it practically impossible for any fairly young, able, and intelligent Negro to continue in the role on the farms that had been played by his father and grandfather before him, or even in a considerably modified version of that role. On the one hand were the pressures from the groups of Negroes and whites which made it treason to the race for him to continue the traditional ways; and on the other hand was the fierce resolution on the part of the planters and other farmers, now able to mechanize cotton production,

that the Negro worker must continue in the established inferior order-and-obey relationship or leave the premises entirely. The bulk of the sharecroppers and wage hands chose the second of these, strongly believing in many cases that the pot of gold at the end of the rainbow was awaiting them in the city. Actually between 1950 and 1960 the number of Negroes living on the farms of the southern region (as defined by the Census) fell off by 53.2 per cent, and this came on the heels of a decline of 27.5 per cent during the preceding decade. In states such as Mississippi, North Carolina, South Carolina, Georgia, and Alabama, hundreds of thousands of persons are represented by the percentage decreases of rural-farm Negroes taking place between 1950 and 1960 which were 49.8, 39.6, 49.4, 59.5, and 60.8, respectively.

As indicated above, one of the net results of the differing patterns of change was to make the distribution of the Negro rural-farm population remaining in the South in 1960 radically different from that prevailing in 1920. Most pronounced of all, the farming districts of Mississippi and North Carolina, came to weigh much more heavily, and those of Georgia, South Carolina, Texas, and Alabama, much less heavily in the picture. Thus in 1920, the six states with the largest Negro rural-farm populations were Georgia, South Carolina, Mississippi, Alabama, North Carolina, and Texas, in the order named; whereas by 1960, the six leading states in this respect, also in order named, were Mississippi, North Carolina, South Carolina, Georgia, Alabama, and Virginia.

The data expressed in relative terms make the radical redistribution between 1920 and 1960 in the Negro rural-farm population of the southern region stand out even more clearly than the materials given above. Thus in 1920 the state of Mississippi contained only 11.2 per cent of the Negroes who lived on farms in the southern region, but by 1960 the proportion had risen to 20.5 per cent; and in North Carolina the comparable change was from 9.6 per cent to 17.4 per cent. In Georgia, in sharp contrast, which contained 15.5 per cent of the South's rural-farm Negroes in 1920, the proportion in 1960 had fallen to 9.2 per cent; and South Carolina's proportion fell from 13.2 per cent to 12.9 per cent, and that of Texas

from 8.6 per cent to 4.1 per cent during the same forty-year period.

The data for counties show that between 1950 and 1960 the exodus of Negroes from the farms went on in all parts of the southern region in which they had lived and worked in any considerable numbers. For example in every county in South Carolina there were fewer Negroes on the farms in 1960 than in 1950, with the losses running as high as 7,422 (77 per cent) in Spartanburg County, 7,352 (66 per cent) in Berkeley County, 9,033 (37 per cent) in Orangeburg County, and 7,023 (30 per cent) in Williamsburg County. The facts are similar for Alabama, Georgia, Louisiana, Mississippi, and Virginia, all of them states in which every county lost Negro rural-farm population during the decade of the 1950's, and they are almost the same for North Carolina in which all counties except Stokes, with a gain of 20 persons, had fewer Negroes on the farms in 1960 than there had been in 1950. There is little need for continuing such an elaboration, but the list of counties in the United States in which the Negro rural-farm population increased by as much as 250 in the interim between the 1950 and 1960 censuses contains only three cases, all in Texas. They are Floyd, Swisher, and Hale, which experienced increases of 405, 322, and 262, respectively.

Finally it is possible to indicate the extent to which the exodus of Negroes from the rural sections of the South has contracted the area in which persons of their race constituted a majority of the population. In 1910 Negroes made up more than one-half of the population in 262 counties spread throughout twelve states. (See Table IV.) Thereafter, with each succeeding census, the number of counties in which Negroes outnumbered whites declined until it was only 134 in 1960. Counties experiencing changes in the racial composition of their populations of this type were particularly numerous in Georgia, South Carolina, Virginia, and Louisiana, whereas in Mississippi only nine counties figured in the list of those in which whites constituted a minority of the population in 1910 and a majority of it in 1960.

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TABLE IV

NUMBER OF COUNTIES IN WHICH NEGROES COMPRISED 50 OR MORE PER CENT OF THE POPULATION, 1910 TO 1960, BY STATES*

State	Year					
	1910	1920	1930	1940	1950	1960
Alabama	21	18	18	18	14	12
Arkansas	14	11	9	9	7	5
Florida	10	5	4	3	2	2
Georgia	66	58	48	46	36	34
Louisiana	25	22	16	15	11	10
Maryland	1	0	0	0	0	0
Mississippi	37	34	35	35	33	28
North Carolina	13	12	9	8	8	8
South Carolina	33	33	25	22	21	15
Tennessee	2	2	2	2	2	2
Texas	8	4	3	2	4	3
Virginia	32	23	21	18	13	15
Total	262	222	190	178	151	143

*Source of data: compiled and computed from various reports of the U.S. Census of Population.

A MUGWUMP ON MINORITIES

Edwin L. Godkin, unhappy Mugwump in respect to America's development and founder of the *Nation,* was born in Northern Ireland of English parents. Early in life he displayed his great admiration for the English aristocracy, and when he first arrived in America about 1856, he was just in time to join many New England aristocrats in the "moral crusade" of the Civil War. He was in every sense a modern man for his morals were generally economically determined. Godkin's group of friends in America consisted of the most influential and powerful men in the country. Educated and genteel, these followers of Godkin appear, when one reads their letters, as a closed society, whose available honors and emoluments were restricted to the in-group. Certainly a good part of Godkin's writings were a clear defense of the right of his class to rule. One historian characterized his clique as men who believed "good government would follow automatically from the merit system and the participation of gentlemen in politics, and when they thought of gentlemen they thought of each other."[3]

The *Nation* catered purposely to the long-settled, stake-in-society group, the cultured Brahmin and the Protestant. James Russell Lowell instructed Godkin to make certain he had the approval of all those "whose opinions you would care about . . . " apparently so as not to alienate those whose support he desired.[4] Godkin was thoroughly committed to the prevalent doctrine of the supremacy of the aryan or Anglo-Saxon race.[5]

Godkin never lost his great love for England, where class rewards at the top were indeed high. He wrote *in confidence* while on a visit that the people of England " . . . are so polite

[1] This article was written not so much to excoriate the character of Edwin L. Godkin, nor to purposely accentuate an area of weakness, quite as much as it was to accentuate his arguments and his views, common then and common today, too often among the later generations of his victims.

[2] Henry Adams said of Godkin: Godkin's weakness was his insistence on points of morals, because, since his morals were economically determined, they could not possess universality in application.

[3] Henry Steele Commager, *The American Mind* (New Haven: 1950), p. 318.

[4] Rollo Ogden, *The Life and Letters of E. L. Godkin* II (New York: 1907), p. 79.

[5] Ogden, *op. cit.*, I, 282; *Nation,* VII (1868), 236.

and there are so many well-dressed, educated men, and life is so well ordered [that] I am thinking I am not worth a cent as a good American,"[6] He also noted with "*des larmes dans la voix* . . . the difference in government and political manners [which, in America] are in fact so awful and for me so depressing. . . . We have to console ourselves by remembering all the good Americans we know and love."[7] One contemporary believed that had he been born to the "peerage or near it" he would have stayed in England. Obviously he came to America for the same reason most immigrants came—because America offered a greater opportunity.

For Godkin, America was in turmoil; and it lacked homogeneity.[9] It disturbed him to see several nationalities melting into the social fabric of New York City. Too often the proud English tradition was being whittled down to a nub, many times by a mob of bellicose Irishmen. Thus Godkin recoiled into aristocracy and intense Anglophilism, and he and his friends became the stout defenders of the Civil Service Reform, which can clearly be termed exclusive in an immigrant society where higher educational opportunities were limited. This reference to Civil Service Reform is not a slur against the weak Pendleton Act—it is a reference to the ideas of Civil Service Godkin possessed, obviously suggested by the undemocratic English system.

If it may be conceded that aristocracy was the repository of culture, by virtue of wealth, tradition and leisure, Godkin held tenaciously to this concept when he saw how far removed the foreigners were from the cultural influence of the aristocrats. If the foreigner were far removed from the aristocratic influence, so, too, was the whole new class of men created by the burgeoning industrialization, urbanization and expansion west. The new values of wealth and opportunity and their realization inspired these men who had all the outward appearances of aristocrats, wealth, leisure and pres-

[6] Ogden, *op. cit.*, II, 143.

[7] *Ibid.*, p. 151.

[8] Henry Holt, *Garrulities of An Octogenarian Editor* (New York: 1923), p. 293.

[9] English born writer, George Dangerfield in *The Era of Good Feelings* (New York: 1952), p. 44 claims that the English Channel made the English the most homogeneous of all races.

tige, but who were utterly insensible to the aristocratic tradition of culture. Godkin rebelled against this anomaly in America, which he saw breeding a crude, brutish and greed-driven man. Godkin had the culture-pattern of England by which he judged men and he desired them to conform to it.[10] After all, how was one to judge the upper class? Both wealth and education were not closing in America, they were opening, but education less so than wealth.

His clear antipathy for the West, Godkin displayed in his opposition to the Granger movement and the silver craze. Moreover, he resented the Westerner's abhorrence for discussing a man's poor past record; he resented, too, the fact that a "fallen" man could occupy as high a place as if he had not "fallen." Godkin believed that a man who had "fallen" was not nearly as good as a man who had not. The Western rebuttal claimed that Godkin's attack on the people west of the Alleghanies was motivated by pure hatred, and Godkin was castigated for calling the West isolated while the point was driven home that "the most dangerous 'isolation' is not geographical but intellectual."[11]

In the early 1880's, the *Nation* became amalgamated with the *New York Evening Post,* and Godkin shortly superseded Carl Schurz as editor. While Schurz appeared in agreement with Godkin on Civil Service Reform, on the question of labor they differed radically. To Godkin, plain workmen were "ignorant," "idle" and "reckless," and he condemned them *en masse.*[12] Godkin also came out in opposition to the eight-hour movement, claiming that the ten-hour day was natural and the eight-hour cause was not a moral cause. The worker, he observed, is being forced by legislation "to lay down his tools at four o'clock in the afternoon, and chafe the evening through in idleness, merely because Jones wants to have

[10] Armstrong says that Godkin often confused "dress" and "manners" with competence. See William Armstrong, *E. L. Godkin and American Foreign Policy, 1865-1900* (New York: 1957), p. 41.

[11] C. S. Gleed, "Mr. Godkin on the West: A Protest," *The Forum,* (1896) XXI, 643. Gleed analyzes the defects in Godkin's writing and method of argument. See also W. A. Russ, Jr., "Godkin Looks at Western Agrarianism," *Journal of Agricultural History,* XIX (October, 1945) 233-242.

[12] Henry Pringle, *Highlights In American Press History* (Minn: 1954) pp. 208-209.

two hours in the tavern to play poker, or booze or chop logic.[13] While he argued that ten hours per day was "natural," he was opposed to any extension of the suffrage on the grounds that it was natural.[14]

Tammany was another target for his vehement denunciation, and against it he conducted open war. Typical of his stand was his indictment that Tammany was guided by clever criminal adventurers in an open attack on the property of taxpayers.[15] In contrast, a later student of American intellectual history believed that politics were often a refuge and a way out for the stymied, teeming masses.[16]

In regard to the American Indian, Godkin held some very strong opinions. While he recognized the brutality to which they had been subjected, he claimed that since history dawned upon them, they had been "cruel, treacherous, filthy and dishonest. . . . "[17] By 1878, the Indians reminded Godkin of New York tramps and he advocated their rapid slaughter.[18] More than once in his life, Godkin was to equate other minorities with whom he did not agree with the individuals and groups within the area of New York City.

Godkin slashed out at the men closest to the people and branded them corrupt, an indictment justified in some cases, exaggerated in most. He took to task Benjamin Butler, George S. Boutwell, James G. Blaine, John Peter Altgeld, Wendell Phillips and Horace Greeley, the last of whom he termed "the unfittest man in America."[19] These men apparently had some misgivings about Godkin's reform, which he defined as a "certainty and uniformity in human affairs, the dimunition of disturbing influences in all fields of activity, and, in short, the cultivation of regularity as a great social

[13] *Nation*, VII (1868), 6.

[14] Godkin to C. E. Norton, February 28, 1865, Godkin Papers, Harvard University Library.

[15] Godkin in his struggle against Tammany saw little wrong in an attempted bribe of a subpoena serving officer. See Allen Nevins, *The Evening Post* (New York: 1922), p. 527.

[16] Ralph Gabriel, *The Course of American Democratic Thought* (New York: 1956), p. 169.

[17] *Nation*, VII (1868), 545.

[18] *Nation*, XXIII (1876), 21-22.

[19] Godkin to C. E. Norton, November 28, 1899, Godkin Papers, Harvard University Library.

good.''[20] While there was little meeting of the minds between Ben Butler and Godkin, Butler reported that ''when Godkin was starting his pernicious weekly he went around to all the old abolitionists to get subscriptions to his stock. He came to me, for one. He told me he intended to publish a journal for the education and elevation of the emancipated and enfranchised negro slaves.''[21]

According to the prospectus, Godkin founded the *Nation,* among other reasons, to give the Negro ''an equal chance in the race of life.''[22] Yet Godkin believed that amelioration of the Negro could come about only ''peacefully'' and ''gradually.''[23] In fact, a number of months before the *Nation* was born, Godkin began to trip over the term ''universal suffrage'' and he appeared to do some backtracking in order to maintain the friendship and support of the ''better element.''[24] Early Godkin did make clear that he thought the ''natural rights'' theory in the United States was carried to such lengths that it destroyed the ''responsibility necessary to the proper exercise of the suffrage, especially amongst ignorant voters.''[25] Though he was not against universal suffrage, he advocated an educational test to determine who should vote. And a test of this sort in the period when suggested had real restrictive meaning.

Godkin did not wish to exclude the Negroes from the vote simply because they were Negroes, nor did he wish them admitted simply because they were blacks and badly treated. He would, however, subject the Negro to one test further than the white man—he would subject the Negro to a moral test. This moral test would be used to elicit ''proof of a disposition to earn a livelihood, or support a family by honest labor.'' Godkin believed slavery morally wrong, but he also believed the victim of the immoral institution might be morally unfit. In the well-turned phrase of C. Vann Woodward in

[20] *Nation*, XXIV (1877), 216.

[21] Edward P. Mitchell, *Memoirs of an Editor* (New York: 1924), p. 302.

[22] Ogden, I, *op. cit.*, 237-238.

[23] *Ibid.*, pp. 191-192.

[24] Godkin to C. E. Norton, February 28 and April 13, 1865, Godkin Papers, Harvard University Library.

[25] *Ibid.*, February 28, 1865.

[26] *Ibid.*

reference to the South and the Negro, he was punishing the injured. Expedience, Godkin thought, dictated the broadest possible suffrage, and he expressed his readiness "to admit all blacks *at once* who comply with the conditions I have mentioned."[26] Many of his positions, when his interests were best served, appeared magnanimous, but his conditions for realizing the magnanimity were impossible.

Three months before the *Nation* was founded, Godkin observed that the South was crushed because it was a danger to civil society, "and for the very same reason . . . we would resist the decisions of the negro voters, if they appeared to threaten our highest interests. . . ." We would, he went on, be justified in withholding the vote from the Negro until we were certain he would not abuse it. If slavery were a poor institution, how could it possibly fit the Negro to take part in a type of government "for which only one of the civilized races has hitherto shown the necessary qualifications."[27] Surely Negro suffrage must have been a remote possibility in his mind, if, only the Anglo-Saxons, among all races, had as yet achieved sufficient mastery over government.

Considering Godkin's specific reservations regarding the Negro,[28] he still sought the financial backing for his paper from men who had few reservations. It was Wendell Phillips, later a whipping boy of the *Nation,* who said: "The black man without the ballot, is the lamb given over to the wolf."[29] Nevertheless, with capitalist backing, including

[27] *Ibid.*, April 13, 1865.

[28] Godkin was far from alone in believing the Negro vote should be withheld. In 1863, the Swiss born naturalist of Harvard University, Louis Agassiz came out against Negro suffrage. Even the liberal minded Henry George believed the Negro not yet ready to be assimilated into the political and social fabric of America. The Irish, who saw the Negro as a job competitor and strikebreaker, branded abolitionism "niggerology." Yet a number of Irishmen championed the cause of the Negro, men such as John Boyle O'Reilly and James Jeffrey Roche, both while editors of the Boston Pilot in the 1880's and 1890's. See Arthur Mann, *Yankee Reformers in the Urban Age* (Cambridge: 1954), pp. 41, 46, 47. As late as 1910 William Allen White in *The Old Order Changeth* (New York: 1910) was talking of "clean aryan blood" and he had a revulsion for race mixture with "inferior races." Teddy Roosevelt in his first message to Congress in December of 1901 called for an educational and economic test for immigrants. See George Mowry, *The Era of Theodore Roosevelt, 1900-1912* (New York: 1958), p. 121.

[29] Quoted from Alan P. Grimes, *The Political Liberalism of the New York Nation* (Chapel Hill: 1953), p. 7.

abolitionists James Miller McKim and Major Stearns, Godkin launched the *Nation.*

Although Godkin gratefully accepted the backing of the abolitionists, he did not care to have the public know he was one of their associates.[30] And at the end of the first year of publication, he had alienated these very backers. Wendell Phillips was suspicious and Major Stearns accused him of "bad faith."[31] Certainly Godkin lacked the full commitment to the Negro that these men possessed and believed that he possessed. Godkin privately called Stearns a "very unscrupulous and unprincipled man,"[32] and he claimed that he was being denounced by a parcel of humanitarians. Numbered among them was Wendell Phillips, who, Godkin claimed, had all he could get or wanted from the world and was now hard pressed for congenial occupation, so he was taking up the banner for the Negro.[33]

In February of 1866, a circular, adding to the founding prospectus, was sent out declaring that the purpose of the *Nation* would now be "extended over a wider area than is included in the circle of those whose tastes have been from the first gratified by it."[34] His break with the abolitionists led him to believe that the movement was "a cloak for all sorts of moral aberrations."[35]

Godkin's key, perhaps not altogether wrong, in the years following, stressed education for the Negro as the way to raise him from his degraded state. However, here time was an essential and the damage wrought by the Negro before education's achievement he viewed as a great danger. Yet education, especially of the higher sort, was perhaps the strongest measure of the upper class in America at that time. Vernon L. Parrington's observation that Godkin surrendered liberty to civilization has an unquestionable ring of truth to

[30] Joseph B. Bishop, *Notes and Anecdotes of Many Years* (New York: 1925), p. 108.

[31] Ogden, *op. cit.*, I, 241-242.

[32] E. L. Godkin to C. E. Norton, September 19, 1865, Godkin Papers, Harvard University Library.

[33] *Nation,* V (1867), 90.

[34] Godkin to C. E. Norton, February 1, 1866, Godkin Papers, Harvard University Library.

[35] *Ibid.*, February 8, 1866.

it. And so does Carlyle's observation, that "the Negro was being improved off the face of the earth."

At the end of 1866, Godkin believed that "the ballot in the hands of an ignorant man may prove but a club in the hands of a blind Samson. . . ."[36] He began to realize that he was attempting to defend the Negro in the South while attacking the foreigner in the North. Yet both groups were proving subversive to the society he held dear.

On certain equalities and protective devices for the Negro, Godkin was adamant. When the question of intermarriage arose in 1867, Godkin opposed those who believed that a little Negro blood mixed with white would be a good influence. Such a mixture, stated Godkin, "may turn out, if he had the continent to himself, a musical and industrious saint; but, for aught anybody can tell, he might also turn out a lazy blackguard, in whose hands the country would run to weeds and civilization itself perish."[37] Godkin also had strong reservations about the Fifteenth Amendment because it appeared an unwarranted prop "in the struggle for existence"[38] and mitigated the power of the state over suffrage. States' rights became an issue, for state control of the suffrage was one of the major points in attempting to halt the advance of the Negro under government protection. Chief Justice Salmon Chase, former anti-slavery man, used state control of the suffrage, though somewhat hesitantly, to make himself more attractive in his quest for the Democratic nomination for President in 1868.[39] Because of this position, even the copperhead Clement L. V. Vallandigham was willing to accept Chase on the basis of his change from government to state control of the suffrage.[40]

Soon Godkin advocated that the Negro raise himself alone, for human conduct cannot be legislated.[41] To him now, the pro-Negro movement was moving against civilization.[42]

Godkin believed that the rule of the ignorant in the

[36] *Nation,* III (1866), 518.
[37] *Nation,* V (1867), 482.
[38] *Nation,* VIII (1869), 124.
[39] Charles H. Coleman, *The Election of 1868* (New York: 1933), p. 131.
[40] *Ibid.,* p. 131.
[41] *Nation,* VIII (1869), 125.
[42] *Ibid.,* p. 125.

South—Negroes and Carpetbaggers—had to be banished, for these were aliens ruling over the natives.[43] The Negro thus had to be sacrificed for the "purity"[44] of the body politic, in fear of unwarranted Federal centralization,[45] for a strong national economy and for the protection of the "bulk of property holders who pay taxes."[46]

Gradually, with the wedding of his views on the foreigner in New York City with those of the Negro in the South, Godkin began to see a strong Anglo-Saxon strain in the Southern farmer and he believed that the suffrage given to the Negro was a weapon of the ignorant to attack civilization and to subvert the machinery of government and property.[47] In 1890, the South used a similar motive—"repugnance for corrupt elections"—to disfranchise the Negro at the Mississippi Convention.[48] Whether Godkin's sophistry influenced the South, and to what extent it did so is difficult to determine. But under the banner of the good fight the Negro was relegated to second class citizenship. Godkin, on a visit South, could not help but note the distinct lack of the foreign element. The South contained less than 5% of the foreign born.[49] Also, one is tempted, perhaps unfairly, to question how pure the motives were behind the Civil Service Reform and whether it did not at first serve the same purpose, in some minds, as the Mississippi Convention. Did Godkin envisage a restrictive Civil Service based upon the English model? Since the educational system was undemocratic in England, the Civil Service would merely reflect this. Like the two party system which is a tool to control other political forces, the Civil Service aimed for many things, mainly order, stability and efficiency, but it is doubtful that democracy at that time was among them.

In 1883, Godkin said: "The South has no truer or older

[43] *Nation*, X (1870), 314 and *Nation*, XII (1871), 212-213.

[44] E. L. Godkin, "The Republican Party and the Negro," *The Forum*, VII, 247.

[45] *Nation*, L (1890), 64.

[46] *Nation*, XXIII (1876), 145.

[47] *Nation*, XXIV (1877), 230.

[48] C. Vann Woodward, *Origins of the New South* (Louisiana: 1951), p. 326.

[49] Ellwood P. Cubberly, *Public Education in the United States* (New York: 1919), p. 339.

[50] *Nation*, XXXVI (1883), 50.

friends than we."[50] And by 1890, he appeared to favor voluntary Negro banishment with these words:[51]

> There is in our mind no question that if they [the Negroes] were really as worthy of citizenship as some of their friends think they are, they would be glad to avail themselves of the African opening to get away from the degrading social conditions, and realize such dreams of race greatness and capacity as their best men doubtless cherish.

Simultaneous with Godkin's writings leading to the abandonment of the Negro, were his writings on the foreigners. A clue, perhaps, to Godkin's feelings generally about humanity may have been revealed in a letter he wrote, obviously colored by his environment in New York City. He advocated that for the betterment of America he wanted all the nice women he knew to marry and have a lot of children for "the trash of the earth, alas, is so prolific."[52] It would appear that Godkin and many American natives saw the foreigners as crude interlopers and marauders, who came to America in order to turn the social system upside down and infect the Anglo-Saxon race.[53] Fortunate, indeed, was it that he did not survive to see the hordes pouring in from Southern and Eastern Europe during the first decade of the twentieth century. Yet the attack on foreigners came long before the early twentieth-century deluge.

Godkin was not lonely in his beliefs. A goodly number of his contemporaries of humanitarian strain called for restricted immigration, especially from Eastern Europe. Racism and nativism were firmly rooted in America during the latter nineteenth century and many believed in the evils of race mixture.[54] Thus it was with Godkin, who early revealed an overt dislike of the Irish and the Catholics, a not uncommon malady in those years. Certainly the Papal pronouncements of 1864 directed against public schools and the current hu-

[51] *Nation*, L (1890), 64.

[52] Ogden, *op. cit.*, II, 25.

[53] The term Anglo-Saxon is still a popular word among many leaders of the South. It was, to cite only one case, recently used by Governor Barnett of Mississippi in defense of the South against Negro and white Civil Rights demonstrations. The words can also be used, contrariwise, to ruffle the feathers of Charles DeGaulle.

[54] Arthur Mann, *op. cit.*, 137.

manitarianism, along with the 1870 affirmation of Papal infallability, exacerbated an already virulent problem.

As early as 1866, Godkin recognized that municipal government was in the hands of foreigners whom he dubbed "denizens of the lower world." Still it was those born in America who made up the bulk of the criminal class in the 1890's.[55] Godkin called for householders in New York City to be given "a veto on votes of money made by the representatives of mere numbers."[56] However, he had hardly mounted a sustained attack in this direction when he was himself attacked as a foreigner. Bowles, editor of the *Springfield Republican,* reported that he had heard at a dinner party that "an Englishmen might be fit for the kingdom of heaven, but not to edit an American newspaper."[57] This was a mortal blow, and Godkin was deeply offended. To his friend, Professor Charles E. Norton, he lamented: "I am made all the more sensitive in this matter because the disadvantages of being a stranger are great enough without having added to them the disadvantage of being denounced as a knave."[59] His friend James Russell Lowell later admitted to him that his stand in the *Nation* was not "specially American," for what Godkin preached, he pointed out, "acknowledges no limits of nationality."[59]

This attack on Godkin by his peers in 1866 did not discourage his own attitude toward foreigners. In 1867, the city of New York in his eyes was made up of a thoroughly corrupt and ignorant constituency. These people had always opposed "the virtuous and the intelligent."[60] The Fenians were a gang of "rum soaked criminal adventurers" with courage bordering on cowardice, and they believed that "every male has an 'inalienable right' to vote without reference to the

[55] Thomas Byrnes in *Professional Criminals of America* (New York: 1895), lists 608 criminals, nearly three-fourths of whom are native Americans. Of those not born in America and clearly identifiable—48 were born in Germany, 37 in Ireland and 36 in England. A sizeable percentage of Irish names appear among those listed as native Americans. There is also a good smattering of Jews.

[56] *Nation,* III (1866), 313.

[57] Ogden, *op. cit.,* I, 243-244.

[58] *Ibid.,* p. 243.

[59] James Russell Lowell to E. L. Godkin, November 20, 1868, Godkin Papers, Harvard University Library.

[60] *Nation,* IV (1867), 434-436.

state of his intelligence."[61]

When Godkin read Wendell Phillips' article in *Harper's Weekly* advocating a Negro for Vice President of the United States, Godkin wrote in reply that this was not the way to root out prejudice nor prove it did not exist. Prejudice toward the Negro had always been an illness of the Anglo-Saxon race, as it had been toward the Chinese and the "Hindoo." No matter what station or renown an "Hindoo" achieved he would still look the same to an Englishman. "What they have done is to raise England and Englishmen in the estimation of the "Hindoos," when the latter reaches a place in the sun.[62]

The Irish were a recurrent theme in Godkin's writings. He told them that they might gain independence, but only if the British Empire were overthrown. He also stated: ". . . we no more expect to see ten years hence the incapacity of Negroes to hold office than we expect to see Fernando Wood or James Brooks deny the fitness of Irishmen for seats in the New York common council."[63] When Godkin read that Mayor Hall of New York City reviewed the St. Patrick's Day parade in a green suit and necktie, he "felt that the day was not far distant when the governor of South Carolina or Georgia would prepare for a reception of colored disputations by giving his face a good coat of yellow ochre and having his hair dyed black and curled."[64]

Around election time Godkin worried about the Irish Catholic vote. He asked "if anybody has hit on any plan of rooting them out [8,000,000 Catholics] before the next presidential election, of course we are willing to see it tried, provided it is not too inhuman or treacherous, or does not involve the slaughter of young children. These can, of course, be saved and brought up in common schools as indomitable Protestants."[65] He viewed the strength of the Catholic

[61] *Nation*, IX (1869), 44.

[61] *Nation*, V (1867), 90.

[63] *Nation*, VIII (1869), 225.

[64] *Ibid.*, p. 225.

[65] For a study of anti-Catholic feeling consult R. A. Billington, *The Protestant Crusade, 1800-1860* (New York: 1938). Robert Ernst, in a book notable for a lack of cogent ideas, has a different theory for anti-Catholicism in *Immigrant Life in New York City, 1825-1863* (New York: 1949). Later novels

Church in New York as an evil. The Church was established as a power through ignorant votes.[66] And these ignorant votes were damaging, because Americans insisted upon dealing with complex problems in a town meeting.[67] The Catholic interest was "the most portentous of all 'interests' which threaten the bases of American society and government" and in the state of New York it was "the most criminal and corrupt interest. . . ."[68] Most of Tweed's (a Scot) hideous subjects he saw as Irish Catholics who oppose "the orderly methodical, conscientious, cold, exacting American Protestant."[69] He even attacked the Irish in their menial positions as servants, branding them as inept cooks, unreliable parties to a contract and as members of a household.[70]

As Godkin saw it, the solution in New York City lay in its being operated and directed as a joint stock company, whereby those paying the highest taxes would run the city's purse strings.[71] No reform can take place, he argued, as long as the money of taxpayers is in the hands of men who think they do not contribute to the support of the city.[72] Finally, he advocated withdrawal of the city funds from universal suffrage,[73] believing that if the majority had to rule, it ought to be a majority of taxpayers. He desired a tax collector to go to every door to collect taxes and impress upon the "ignorant" that they do pay taxes and maybe then they will not tolerate the men they put in office.[74] America, to Godkin, was an "immense democracy, mostly ignorant and completely secluded from foreign influences."[75]

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such as Homer Lea's *The Vermillion Pencil*, portraying a Catholic Bishop intriguing for the Church against state had some vogue in America.

[66] *Nation*, XI (1870), 432.

[67] *Ibid.*, p. 20.

[68] *Nation*, XII (1871), 285. Godkin did admit that the Catholic Church was the one Church which kept up its work among the poor and unenlightened. See *Nation*, XXII (1876), 24. An interesting sidelight on this is that seventy-eight years later, the *Nation* was banned from City schools because of anti-Catholic bias.

[69] *Nation*, XIII (1871), 236.

[70] *Nation*, XVI (1873), 6.

[71] *Nation*, XIII (1871), 188-190.

[72] *Ibid.*, pp. 205-206.

[73] *Nation*, XXVI (1878), 108-109.

[74] *Nation*, XXXVIII (1884), 26.

[75] Godkin to C. E. Norton, December 29, 1875, Godkin Papers, Harvard University Library.

Godkin's opposition to Grant's plan for the annexation of Santo Domingo was strenuous, and his views on Chinese immigration were largely negative. He asked President Grant to wait, at least until the people might give some assent "to absorbing semi-civilized Catholic states . . . " and to make citizens out of "200,000 ignorant Catholic Spanish Negroes."[76] Early, probably for a number of personal and unstated reasons, Godkin advocated opening the gates to America for the Chinese to enter. He believed the Chinese would fill the same need the Negro did. Chinese were described, he observed, as "submissive, tractable, painstaking, economical, cheap, needing neither society, nor amusement, nor church, nor school; neither saucy, nor ambitious nor restless." [77] He would not grant them full rights to citizenship, and the "moral and political objections to them we need not consider . . . because capital will not consider them."[78] He further pointed out that "if nobody were likely to gain by the coming of the Chinese, but the Chinese themselves, we might attach some importance to the efforts that will undoubtedly be made to prevent his coming."[79] However, by 1893, he had little trouble supporting the Chinese Exclusion Act.[80]

The election of 1884 in New York City was a bitter one, one in which the Irish and the slogan "Rum, Romanism and Rebellion" played a prominent role. During the course of the election year, in which the "plumed Knight", Blaine, was pitted against Grover Cleveland, a writer from London claimed that Godkin "once proposed as a fit remedy for the Irish trouble that the Irish should be allowed to kill each other off—to murder each other as much as they liked without interference by the English.[81] Godkin's paper carried a second set of Mulligan letters which purported to show how Blaine used his official position to enhance his financial status. Both the Democratic Party and Godkin feared that Blaine had great pull among the city's Irish voters. Godkin at first hailed Blaine's policy of not giving aid to the Fenian prisoners

[76] *Nation,* XI (1870), 432-433.
[77] *Nation,* IX (1869), 45.
[81] *Ibid.,* p. 45.
[78] *Ibid.,* p. 45.
[80] *Nation,* LVI (1893), 358.
[81] *New York Tribune,* July 8, 1884, Signed G.W.S.

languishing in British prisons, but then Godkin used the testimony of one of these Fenians against Blaine.[82] It was, indeed, a vicious campaign based upon personalities.[83]

In the decade before he left American shores for his homeland in England, Godkin blamed the intelligent native Americans for apathy in respect to municipal corruption.[84] These Americans should have perceived that the Irish were separated from Americans by "habits, traditions and ideals" and they confronted the Anglo-Saxon with the "dread" of Catholicism.[85] Simply stated, the better element was not making any impression upon the democratic masses.[86]

In 1891, after the Mafia riots in New Orleans, Godkin called for an English language test for admission to America. "We are," he said, "under no obligations to see that all races and nations enjoy an equal chance of getting here." He was suggesting this in the interests of "American civilization."[87] And subsequent generations, until the present day, have seen fit to believe this true.

Godkin's clarion call was to native Americans, [88] who should have seen to it that the immigrant did not shake the stability of American society. He did not realize, as one brilliant historian points out, that the needs of the immigrant led him to the ballot box and the machine gave some form and effectiveness to his vote.[89] To Godkin, corruption had

[82] Florence E. Gibson, *The Attitudes of the New York Irish Toward State and National Affairs,* (New York: 1951) p. 389.

[83] In the heat of the campaign a Dr. Ball attacked Grover Cleveland. Godkin sought out some unsavory details about Dr. Ball which he published. He was sued for libel, since it was the wrong Dr. Ball. See Allan Nevins, *Grover Cleveland: A Portrait in Courage* (New York: 1948) p. 169.

[84] E. L. Godkin, "Criminal Politics," *North American Review,* CL (June, 1890) 721.

[85] *Ibid.,* p. 710.

[86] E. L. Godkin, "A Key to Municipal Reform," *North American Review,* CLI (October, 1890), 425.

[87] *Nation,* LII (1891), 312.

[88] In the first decade of the 20th century, Lincoln Steffens in the *Shame of Cities* saw corruption existing on the part of newcomers and natives alike. Philadelphia, boasting one of the largest of native populations, appeared as corrupt as any other city. Mrs. Fremont Older, in writing of San Francisco reform, claimed that the Irish and Germans supported reform while the greatest opposition came from the descendants of New England and Southern aristocrats. See Harold Faulkner, *The Quest for Social Justice, 1894-1914* (New York: 1931), p. 92.

[89] Oscar Handlin, *The Uprooted* (Boston: 1951) p. 212.

its birth with the granting of the "suffrage to all white males." He dreamed, he wrote nostalgically, of days long gone when "the old Anglo-Saxon tradition of 'respectability' ruled in public office."[90] Others, too, however, were responsible for the current situation. The Social Gospelers, who had some real doubts about the exploitation of the defenseless immigrants, could not be absolved, for they were responsible for the seething unrest of the masses.[91]

Godkin did receive his plaudits from the like-minded. Alexander McKay-Smith, writing to Godkin from a Madison Avenue address, said he hated "the gutter governing the sidewalk, the slums pouring out their vice and ignorance to masquerade in seats of honor . . . [and] the saloons posing as temples of liberty, [while] foreign adventurers . . . control us with more than autocratic insolence."[92] James D. McCabe, a writer, also agreed with Godkin, and he saw the Irish as "the most ignorant, as well as the most reckless class in the great city . . . blindly devoted to [their] leaders."[93] Silas W. Burt also agreed with Godkin that there was a growing "degeneracy" in America, and he confessed that he was proud of his English lineage and all those who came to America early.[94]

In the twilight of his life, in the year 1893, Godkin wrote: "In truth, there is no corner of our system in which the hastily made and ignorant foreign voter may not be found eating away the political structure, like a white ant, with a group of natives standing over him and encouraging him." There was no law able to stem "the great debasement of our politics through the incessant addition made to the voting population by the half-civilized newcomers, and we are on the point of seeing nearly all our large cities[95] turned over

[90] Godkin, "A Key to Municipal Reform," pp. 422-423.

[91] E. L. Godkin, "The Economic Man," *North American Review*, CLIII (1891) 502.

[92] Ogden, *op. cit.*, II, 172-173.

[93] James D. McCabe, *New York by Sunlight and Gaslight* (New York: 1882), p. 124.

[94] Silas W. Burt to E. L. Godkin, December 31, 1899, and October 29, 1901, Godkin Papers, Harvard University Library.

[95] George Mowry believes that "the role of the city as the inspirer of social democracy and as the originator of social regulation has been relatively overlooked by American history." Mowry, *op. cit.*, p. 66.

completely to them and a handful of demogogues who control them.''[96]

Godkin, with his romanticized, aristocratic ideals, especially since he was removed from its pervading atmosphere, could hate the threat of the white foreigners, who were not separated from him by any visible means or any clear class system. The unseen class system was constantly assailed by the urban serfs. Godkin could and did hate these: the ignorant who possessed power and riches, or those clamoring for it, much like the Southern "poor white," who was also the victim of the romantic aristocratic tradition and who could also hate the Negro because of it.

Godkin was in the dual role of being able to be beneficent and also hating through reaction to his aristocratic ideals. He seemed to mirror both sides of the coin in the struggle that was to follow in the decades after the Civil War. The aristocrats could hate if threatened, as Godkin hated the foreigners. He could tolerate, as with the Negro, if there were the tacit admission that those he was tolerating were inferior and amenable to control.

But if Godkin were the symbol of a man being reacted upon in dual ways by his English aristocratic tradition, which democracy found difficult to overcome, then the Negro was one of the most pathetic victims of aristocracy. The Negro was a victim of aristocracy because there was hatred of the uncontrolled white foreigner and toleration of the controlled Negro, an inferior. The injection of democracy into such a negative system required a radical adjustment, one that was painful and bitter, but one, in the long view, far superior to such a static system, where one, the foreigner was hated because he would and did threaten since he was white, and the other, the Negro, who was tolerated because he could not effectively threaten because he was black. History has shown that turmoil inevitably results in the change from a fixed system in a society to a democratic one.[97] We see it again today as the Negro once more makes his bid to take an active

[96] *Nation,* LVI (1893), 43.

[97] Two interesting books which present themes on this problem are Ralph Korngold's, *Thaddeus Stevens* (New York: 1956), which argues that Stevens accepted the challenge of the Civil War to broaden the base of American citizenship

and equal part in American life. But he will not be successful unless the white community begins the infinitely difficult process of unlearning in their children all that has been so fastidiously fixed by past generations.

Perhaps men of Godkin's group could have given America more efficient and less corrupt government, but what would their rule have meant in terms of democracy's future? His group or class could only have gained in the milieu and system of their own creation, a system which did not provide a wide enough base for the many minorities. This milieu, this system, these laws had to be amended to make room for others. How this change came about, whether by revolution, by corruption, real or apparent, or by other pressures is part of the stuff from which history is made. Also, corruption is often what those in power say it is, for example: the foreigner voting more than once in America was corrupt government, but the university graduate in England voting more than once was good government. Thus, the obvious failure of Godkin and some of his class lay in their greater development of a moral conscience, but an unwillingness to practice what they knew to be true. Hence his dilemma and his in-depth rationalization on slavery, the Negro and the foreigner.

Godkin did become preoccupied with what he believed the evident corruption of his age. Yet in light of America's future development, one cannot help being intrigued by the analogy presented by scientific immunization, where a small portion of evil prevents the larger evil. Perhaps evil is the servant of good? Perhaps that is the secret of the American democratic system? However, despite the merits of this Maritain-like argument of history, Godkin himself was not sympathetic toward American democracy as it was developing.

Godkin left America and died in the land he loved. He loved its rewards, its stability and its essential homogeneity. He clearly saw that America was not developing the stable ruling class, jealous of its prerogatives which England developed. Instead he saw change, indeed what he believed chaos. And

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and Clement Eaton's *Freedom of Thought in the Old South* (Duke University Press: 1940), which vividly portrays the turmoil and terror connected with the change to democracy in the pre-Civil War South.

it is only in this modern age, in a fashion not very commendable, that England is attempting to solve a rather new problem —an insular land being invaded by other races.[98]

Godkin died apparently agreeing with his "god" Ruskin that in America's lack of tradition there existed a blight that "would rob [its] rivers of their laughter and [its] flowers of their light." But one facet ought not be overlooked. It was Godkin's journalistic work in America which provided the key to unopen the doors to the English upper class. It was here in the leveller's paradise that Godkin's work brought him acceptance by and entrance into the English aristocracy. He loved this atmosphere. Thus democratic America contributed greatly to the happiness of Mr. E. L. Godkin, Mugwump.[99]

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[98] The early English attitude toward the Indian might be consulted in Gabriel's *The Pageant of America* (New Haven: 1929) Vol. II. Also, it is the author's belief (the author of this paper) that the history of England is unintelligible unless studied with its island position in mind.

[99] Godkin contributed to America also. He aided in the enactment of the Civil Service Reform. Indeed, some contemporaries credit him with being a prime mover in this reform. See . . . "Mr. Godkin's Political Writings," *Atlantic Monthly* (Jan. 1897) LXXIX, 120.

THE SOMERSETT CASE AND SLAVERY: MYTH, REALITY, AND REPERCUSSIONS

On 22 June 1772 Lord Mansfield, Chief Justice of the Court of King's Bench, handed down his long-awaited decision in the case of the runaway Negro slave, James Somersett. The Somersett decision quickly became an important influence on Americans; it was cited authoritatively in American courts, north and south, state and federal, for fifty years. In *Dred Scott* v. *Sandford,* five Supreme Court Justices reopinion in *Priggy* v. *Pennsylvania,* noted that the Somersett case. Dissenting Justice McLean, citing Justice Story's 1842 opinion in *Prigg* v. Pennsylvania, noted that the Somersett decision was once "considered by this court as the highest authority." He added his approval to Story's. "The words of Lord Mansfield, in giving the opinion of the court," McLean wrote, "were such as were fit to be used by a great judge, in a most important case."[1]

McLean's adulatory comments notwithstanding, "the words of Lord Mansfield" were never known by the Supreme Court or by the politicians, lawyers, and abolitionists who so frequently referred to the Somersett decision. Americans mistakenly believed (as did a great many Englishmen) that Lord Mansfield had with one sweeping judicial blow destroyed the institution of slavery in England. They believed that when he ordered the runaway Somersett discharged from custody he also gave immediate fredom to 14,000 Negroes—a radical act which Mansfield firmly denied he had committed. But many contemporaries, and succeeding generations, ignorant of Mansfield's denial, accepted the accounts of the *Boston Gazette,* the *Middlesex Journal,* and other papers which incorrectly reported the conclusion of the case. Emancipation came to English slaves when Mansfield, supposedly, declared that slavery was "so odious, that nothing can be suffered to support it, but positive law." Since England had no such positive law, England could have no slavery.[2] Carried to America, the supposed Mansfield doctrine meant for some that slaves entering states or territories with no positive law

[1] 19 Howard 534-5 (1857).

[2] Capel Lofft, *Reports of Cases Adjudged in the Court of King's Bench, from Easter Term 12 Geo. 3. to Michaelmas 14 Geo. 3.* (Dublin, 1790), 19.

supporting the institution of slavery automatically became free. "Slavery," Justice McLean wrote, "can exist only within the territory where it is established; and . . . if a slave . . . is carried beyond such territory, his master cannot reclaim him. . . ."[3] For McLean, the positive law doctrine should have freed Dred Scott.

Lord Mansfield, however, had enunciated no such positive law doctrine, nor had he emancipated 14,000 Negroes. He had simply ruled that a slave could not be shipped from England against his will. In 1769 Charles Stewart and his slave Somersett sailed from Boston to England where Somersett, refusing to serve his master, ran away. When he was captured and about to be shipped out of the country for sale in Jamaica, his friends took court action. Lord Mansfield heard the arguments of the learned counsel and ordered the slave released. "No master," Mansfield said, "ever was allowed here to take a slave by force to be sold abroad because he had deserted from service, or for any other reason whatever."[4]

Mansfield's decision was widely and quickly misinterpreted. The *Middlesex Journal* attributed to Mansfield the opinion that "every slave brought into this country ought to be free. . . ." The *Boston Gazette* explicitly misinformed its readers that England's 14,000 Negro slaves had been freed.[5] Even Granville Sharp, England's leading abolitionist, was deluded. Sharp had for two years searched for legal precedents that would end slavery; when he thought he had found them in an old oninion of Chief Justice Holt and in Blackstone's *Commentaries,* he brought a case before Lord Mansfield. According to Sharp, in this preliminary to the Somersett case, Mansfield dodged the central issue of slavery's legality by "discharging the Negro on some . . . pretence." But after the Somersett decision was handed down, Sharp abruptly wrote in his notebook: "Thus ended G. Sharp's long contest with Lord Mansfield, on the 22nd of June 1772."[6]

[3] 19 Howard 534.

[4] Lofft, *Reports,* 1; *Gentleman's Magazine,* XLII (1772), 293-4; *Virginia Gazette* (Purdie & Dixon), 27 August 1772.

[5] *Middlesex Journal,* 23 June 1772; *Boston Gazette,* 21 September 1772.

[6] Quoted in E.C.P. Lascelles, *Granville Sharp and the Freedom of Slaves in England* (London, 1928), 29-33. See also Ruth Anna Fisher, "Granville Sharp and Lord Mansfield," *Journal of Negro History,* XXVIII (1943), 381-9. Black-

In 1785, thirteen years after the famous case, Lord Mansfield took official notice of the misinterpretation of his decision. The Somersett case, he then said, had gone no "farther than to determine that the master of such a servant shall not have it in his power to take him out of the kingdom against his will. . . ."[7] Some contemporaries had always understood the opinion in this sense. The *Gentleman's Magazine* and the *Virginia Gazette* gave their readers accurate reports in 1772; Benjamin Franklin, lobbying in England during the Somersett trial, wrote to one of America's leading abolitionists, Anthony Benezet, of England's hypocrisy in priding itself "on its virtue, love of liberty, and the equity of its courts, in setting free a single negro," while at the same time encouraging the "detestable" slave trade.[8]

Despite the beliefs of literate nineteenth-century Americans, slavery did exist in England after 1772; and Englishmen, however they may have immediately interpreted the Somersett decision, became painfully aware of its continued existence. In 1790 Hannah More, a doer of good works for half a century, was almost forced to buy a runaway Negro girl in Bristol to save her from "the human-flesh merchants."[9] And sometime after the Somersett case a West Indian slave dealer brought a Negro to England with the strange hope of selling him into freedom, perhaps opening an ingenious and profitable new trade. The dealer expected, correctly, that a philanthropist would buy the slave.[10]

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stone wrote that a slave became free when brought to England, although the master retained the right to the freed slave's service for life. William Blackstone, *Commentaries on the Laws of England* (4th ed. 4 vols. Oxford, 1770), I, 127, 423-5.

[7] *King* v. *Inhabitants of Thames Ditton*, 4 Douglas 300 (1785).

[8] *Gentleman's Magazine*, XLII (1772), 293-4; *Virginia Gazette* (Purdie & Dixon), 27 August 1772; Franklin to Benezet, 22 August 1772, Albert Henry Smyth, ed., *The Writings of Benjamin Franklin* (10 vols., New York, 1905-7), V, 431-2. For another correct reference to the case see Samuel Johnson to James Boswell, 2 July 1776, R. W. Chapman, ed., *The Letters of Samuel Johnson* (3 vols., Oxford, 1952), II, 144.

[9] Hannah More to Horace Walpole, July 1790, W. S. Lewis, ed., *Horace Walpole's Correspondence with Hannah More . . .* (volume 31 of *The Yale Edition of Horace Walpole's Correspondence*, 1937-1961), 340, 350.

[10] Thomas Clarkson, a leader in the anti-slave trade movement in England, witnessed the sale. Edward Fiddes, "Lord Mansfield and the Somersett Case," *Law Quarterly Review*, L (1934) 509-10.

The Somersett decision was misunderstood in 1772 because newspaper printers, readers, and almost everyone involved in the case had for five months been conditioned to think in a narrow and rigid pattern. The Somersett case had been hailed as "the great Negro Case," the case which would end only when the Chief Justice had ruled on slavery's legality. The case had been built up as one involving a central issue—slavery or freedom for all England's slaves, not simply for one—which could not be dodged by legal subtleties. Somersett's lawyers and Lord Mansfield created this thought pattern, and because of it, when Somersett was discharged from custody, it was assumed that all had been freed. But Mansfield, perhaps led by two of Somersett's lawyers, had broken out of the pattern he had helped establish, freeing only Somersett and leaving followers of the case and other slaves hopelessly behind.

Somersett's learned counsel—there were five—devoted most of their cumulative energy to "flourishing away on the side of liberty," not to prove that slave-owner Stewart had no right to remove Somersett from the country, but to establish the broader doctrine that slavery itself could not exist in England, where freedom was "the grand object of the laws. . . ."[11] Slavery, they argued, was "not a natural . . . relation"; it was an unnatural condition "violating the natural rights of the slave," who, "guiltless of any offence against the laws," was reduced to the "worst and most abject state. . . ." The institution of slavery was incompatible with "the natural rights of mankind," as well as incompatible with the "mild and humane precepts of christianity. . . ."[12]

Since slavery was an unnatural condition, it had to be legislated into existence by local, municipal law. And those laws, "which were repugnant to natural laws, ceased to operate the moment the persons affected by them were out of the state in which they were made. . . ." Any place, except the place where the slave comes from, is an asylum, a haven, for the slave. Somersett and the other slaves in England, the lawyers argued, were deserving of the same treatment as a

[11] Lofft, *Reports*, 5; Charles Stewart to James Murray, 15 June 1772, Massachusetts Historical Society, *Proceedings*, XLIII (1909-10), 450.

[12] Lofft, *Reports*, 2, 3, 6, 16.

galley-slave; they presumed that if such a slave escaped to England "the Court would never suffer the master of such galley-slave to take him from hence." Continually citing the practices of other countries, one counsel noted that a slave, escaping from Germany to France, "was immediately emancipated and protected. . . ."

The lawyers for Somersett argued that the existence of slavery in America, or anyplace, had no bearing on England's actions respecting slaves brought into the country, for England did not have its own municipal law establishing perpetual servitude. "The laws of an infant colony, *Virginia,* or of a barbarous nation, *Africa,*" should not prevail since they were undeniably "repugnant to natural laws. . . ."[13]

The last major argument developed by Somersett's lawyers was a simple combination of the first two ideas; here they undoubtedly flourished "on the side of liberty." Slavery was unnatural; it had not been established in England, hence England was a "land of liberty." It had been asserted a long time before, and was now repeated by the counsel, that "this air is too pure for a slave to breathe in. . . ." No man could be a slave in England; "any slave being once in England, the very air he breathed made him a free man. . . ."[14]

The descriptions of the emancipating qualities of English soil and air, presented repeatedly by the battery of Somersett lawyers, were meant to prove that all England's slaves, and not simply runaway James Somersett, should be declared free, in fact should be allowed to resume their natural freedom. Lord Mansfield understood clearly the nature of the decision confronting him; so did the opposing counsel who tried to make the Chief Justice wary of any far-reaching opinion, thus aiding his client, by noting the "many alarming . . . consequences[s] of the decision, either way, [there being] about 14,000 slaves . . . at present here." From the beginning of the case to the long-awaited end, Mansfield was indeed wary. "The setting [of] 14,000 or 15,000 men at once free loose by a solemn opinion," he commented, "is much disagreeable in

[13] *Ibid,* 5-6; *Middlesex Journal,* 8 February, 14 and 16 May, 1772. In a review of Stanley M. Elkins' *Slavery,* Sidney W. Mintz points out that England had positive legislation referring to slaves. *American Anthropologist,* LXIII (1961), 582.

[14] Lofft, *Reports,* 7, 17; *Middlesex Journal,* 8 February, 16 May 1772.

the effects it threatens." He was worried not about what would happen to society or to the Negroes when they were suddenly freed but about the loss of property which, with slaves worth at least £50 each, would amount to "above 700,000 l. sterling."

Despite Mansfield's desire to let "the law . . . rule," he earnestly sought to avoid, from Granville Sharp's vantage point—to dodge, the responsibility of making any decision. This extreme caution, about which the public was at least partially informed, reinforced the idea already spread by Somersett's counsel that more was at stake than James Somersett's personal freedom. Without details the *Middlesex Journal* informed readers that Mansfield had recommended a compromise or some kind of application to Parliament; he was deferring his opinion, it said, to a future day, hoping that "the parties shall in the meantime settle the dispute between themselves." According to Charles Stewart, Mansfield even hinted that Stewart should emancipate his own slave, bringing the case to an end without a decision and thus resolving Mansfield's dilemma.[15]

Mansfield's judicial caution, his obvious hesitation, together with the arguments of Somersett's lawyers, led people to believe that a great legal doctrine was to be decided, and that, when the trial ended, all slaves would share Somersett's fate. Given the available evidence, the hastily formed conclusion that Somersett's discharge from custody brought freedom to all is logical, but incorrect. People erred because they reasoned without some pertinent information. What they did not know was that Lord Mansfield had once again dodged the central issue by ending the case without ruling on the legality of slavery in England.

Once or twice during this "great Negro Case," Somersett's lawyers had set forth an argument unrelated to the idea that a slave became free when he landed in England. If, they argued, the Court acknowledged the existence of slavery

[15] Lofft, *Reports*, 10, 17; *Middlesex Journal*, 23 May 1772; Stewart to James Murray, 15 June 1772, MHS, *Proc.*, XLIII (1909-10), 450. In 1852 Charles Sumner said in the Senate that Lord Mansfield had handed down his decision "with discreditable reluctance sullying his great judicial name. . . ." Quoted in John C. Hurd, *The Law of Freedom and Bondage in the United States* (2 vols., Boston. 1857-62), I, 376-7, note 4.

in England, it did not necessarily have to "allow the most exceptionable part of slavery; that of being obliged to remove, at the will of the master, from the protection of this land of liberty. . . ." Somersett might indeed be Stewart's slave, but he could not be forced out of England and into the West Indies' harsher slavery. For if slavery did exist in England, then the relationship between master and servant would have to be governed by the laws of villenage, "there being no other laws to regulate slavery in this country," and those laws "restrained the lord from forcing the villein out of England."[16]

However insignificant for Francis Hargrave, and the four other lawyers, the argument was crucial for both Somersett and Lord Mansfield in 1772. The Chief Justice seized it eagerly, discharging Somersett from custody because "no master ever was allowed . . . to take a slave by force to be sold abroad . . . for any . . . reason whatever."[17]

Readers of the *Middlesex Journal,* one paper which followed the Somersett case closely, were never told, in Mansfield's words, the reason for Somersett's discharge, nor were they informed by the paper of the additional argument restraining "the lord from forcing the villein out of England." Without this information they interpreted Somersett's emancipation as the direct result of the lawyers' attack on the institution of slavery. The idea that Lord Mansfield had emancipated 14,000 slaves seemed logical to many.

Contemporary misconceptions about the Somersett decision can therefore be understood by recounting the evidence available to followers of the case. But succeeding generations, including American lawyers, judges, and abolitionists, who referred repeatedly to the Somersett decision, were misled in a more insidious manner; legally-minded, constantly searching for precedents, they read not the newspaper accounts of

[16] Lofft, *Reports,* 16; Francis Hargrave, "An Argument in the Case of James Somersett, A Negro, Lately Determined in the Court of King's Bench: Wherein It Is Attempted to Demonstrate the Present Unlawfulness of Domestic Slavery in England," (London, reprinted in Boston, 1774), 54. Hargrave, one of Somersett's lawyers, established his reputation in this case. W. S. Holdsworth, *History of English Law* (13 vols., London, 1903-52), XII, 410.

[17] *Gentleman's Magazine,* XLII (1772), 293-4; *Virginia Gazette* (Purdie & Dixon), 27 August 1772.

the case but the only known legal report, Capel Lofft's summary in his *Reports of Cases adjudged in the Court of King's Bench.* Ignoring the nature of eighteenth-century legal reports, Americans and Englishmen accepted without question Lofft's version of the Somersett case. But the quality of legal reports could, and did, vary. They were not then written by court officials; they were prepared by individuals, only sometimes eminent lawyers, who gathered cases for their own use or for publication.

In 1776, the year after being called to the bar, Capel Lofft published his *Reports.* Unfortunately, especially because they are the only reports for the Court of King's Bench between 1772 and 1774, they are not of very great authority.[18] Their only fame, and that undeserved, comes from the coverage given to the Somersett case. Lofft's account of the trial is incomplete, and his recording of Mansfield's decision erroneous.

Like the newspaper account, Lofft's *Reports* emphasizes the lawyers' attack on slavery, there being only one, very brief mention of the idea that a slave could not be forced to leave England. Readers of these *Reports* received the same impression of the importance of the case as the readers of the *Middlesex Journal,* but in addition they got what was purported to be an accurate summary of Mansfield's decision. It is this summary, even more than the lawyers' arguments and Mansfield's hesitation, which convinced Americans that Lord Mansfield destroyed slavery in England with a judicial opinion. Lofft, summarizing the case, noted that Somersett had been placed on a vessel in order to be sold abroad. According to him, Mansfield ruled: "So high an act of dominion must be recognized by the law of the country where it is used. The power of a master over his slave has been extremely different, in different countries." And, this opinion continues, moving on to more tenuous grounds, "the state of slavery is of such a nature, that it is incapable of being introduced on any reasons, moral or political. . . . It's so odious, that nothing can be suffered to support it, but positive law. Whatever inconveniences, therefore, may follow from a decision, I cannot

[18] Holdsworth, *History of English Law,* XII, 102, 139-40.

say this case is allowed or approved by the law of *England;* and therefore the black must be discharged.''[19]

In this version of the Somersett decision Mansfield is made to adopt the arguments of Hargrave, whom Lofft admired, and the other Somersett lawyers.[20] With no positive law establishing slavery in the country, Somersett and 14,000 slaves were freed.

But Lofft's Somersett decision was not Mansfield's Somersett decision, for Lofft had simply put words, perhaps Hargrave's, into Mansfield's mouth. Another version of the decision was printed in an English monthly, the *Gentleman's Magazine,* and reprinted in the *Annual Register.* This copy, printed in 1772, not 1776, is far more accurate but was never cited, apparently because interested parties were unaware of its existence. The similarity between the versions lasts only through Mansfield's comment on the attempt to ship Somersett out of England: ''so high an act of dominion was never in use here.'' According to Lofft Mansfield then ventured forth into his positive law doctrine; but according to the *Gentleman's Magazine* Mansfield then simply added the inconvenient, but relatively harmless, idea that ''no master ever was allowed here to take a slave by force to be sold abroad, because he had deserted from his service, or for any other reason whatever.'' And, therefore, ''we cannot say the cause set forth by this return is allowed or approved of by the laws of this kingdom . . . the man must be discharged.''[21]

Unlike Lofft's *Reports,* this contemporary account nowhere mentions the positive, municipal law doctrine developed by Somersett's lawyers; nowhere does ie say that slavery cannot exist in England. There is nothing in this version which does not coincide perfectly with Lord Mansfield's interpretation of the Somersett case in 1785, and there is, in fact, nothing in this version of the decision to justify the use made of the Somersett case by many Americans.

Almost immediately Americans considered the Somersett decision significant, though it was not until abolitionists

[19] Lofft, *Reports,* 19. The trial began in February; Lofft's account begins with the May session of the court.

[20] For Lofft's admiration of Hargrave, see *ibid.,* 1.

[21] *Gentleman's Magazine,* XLII (1772), 293-4; *Annual Register . . . for the Year 1772* (London, 1773), 110.

launched their major assault against slavery in the 1830s that the supposed decision became an important legal precedent. Before the thirties the Lofft-Mansfield decision was primarily a stimulus for the passage of fugitive slave legislation. Both the Northwest Ordinance, passed by Congress in July 1787, and the Federal Constitution, contain euphemistic clauses calling for the return of fugitive slaves. The wording of the clauses, particularly those of the Constitution, and the necessity for them, reflect the influence of the Lofft-Somersett decision. In 1857 Justice McLean, whose dissenting opinion in the Dred Scott case is replete with references to the Somersett case, and dissenting Justice Curtis, affirmed that the Constitution clearly described slavery as a "status created by municipal law," since it "refers to slaves as 'persons held to service in one State, under the laws thereof.' "[22] Both judges cited as a precedent Justice Story's opinion in *Prigg* v. *Pennsylvania,* an 1842 fugitive slave case. Story, citing Lofft, had mentioned that Somersett's case "fully recognized" the doctrine that slavery was a "mere municipal regulation, founded upon and limited to the range of the territorial laws." Working with this basic idea, Story had concluded that it was the fugitive slave clause, and only that, which prevented a non-slaveholding state from declaring "free all runaway slaves coming within its limits. . . ."[23]

Though southerners in the nineteenth century denied the accuracy of Story's opinion on that point, the slaveowning Founding Fathers would have agreed with the judge. "At present," James Madison told the Virginia ratifying convention in 1788, "if any slave elopes to any of those states where slaves are free, he becomes emancipated by their laws. For the laws of the states are uncharitable to one another in this respect."[24]

[22] The quoted words are Curtis', 19 Howard 624; for McLean's comments, see *ibid.*, 549. The provision for the return of fugitive slaves first appeared in a report of a Congressional committee of 6 April 1785. Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* (8 vols., Washington, 1921-36), VIII, 622n.

[23] 16 Peters 611-2 (1842).

[24] Max Farrand, ed., *Records of the Federal Convention of 1787* (4 vols., New Haven, 1911-37), III, 325. Justice Wayne, in *Prigg* v. *Pennsylvania,* cited similar remarks made by James Iredell, later a Supreme Court Justice, and Charles

That northern interference was stopped abruptly by the adoption of the Constitution, but it was replaced in the nineteenth century by another practice derived from the positive law doctrine equally irritating to southerners. The Constitution, though guaranteeing slaveowners the right to recover fugitives, in no way guaranteed masters the right to travel with their human property into or through free states. The fate and future of slaves brought by their masters, not escaping from them, into non-slaveholding states rested entirely with those states, because the relationship between master and slave was governed by local, municipal law.

Northern states did not unite on, nor did each state consistently follow, one policy. Recognizing that the Mansfield decision might enable slaves to sue for their freedom, some states passed sojourner laws. In 1780 Pennsylvania granted travellers from slave states the right to keep slaves within the state for six months; officials of the federal government were allowed to keep their slaves with them as long as their duties required their presence in the state. New York's sojourner law, passed in 1817, apparently in an effort to attract southern visitors to Saratoga Springs, established a nine-month period for slaveowning. But these laws, favorable to slaveowners as well as to northerners wanting to do business with them, could be repealed at any time. In 1841 New York repealed its sojourner law; Pennsylvania followed suit six years later.[25]

Some states, without such laws, entertained suits for freedom. *Commonwealth* v. *Aves* was an 1836 Massachusetts case. The wife of a Louisiana slaveowner came, with Med, a young slave, to visit her father in Boston where her right to hold property in a human being was questioned. The arguments centered on the Somersett decision. Benjamin R. Curtis, twenty-one years later a dissenting justice in the Dred Scott case, at this time supported the rights of the slaveowner. Anticipating the line to be taken by his opponents,

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Cotesworth Pinckney, in the North and South Carolina ratifying conventions. 16 Peters 648. For the later southern argument, see William Sumner Jenkins, *Pro-Slavery Thought in the Old South* (Chapel Hill, 1935), 144.

[25] *The People* v. *Lemmon*, 5 Sandford 686 (1852); Thomas Hart Benton, *Thirty Years View* (2 vols., New York, 1856), II 774-5.

Curtis attacked Mansfield's opinion. The slave, he argued, was not emancipated by arriving in a state where slavery was not sanctioned by law. Despite Mansfield's conclusions, slavery had been introduced "in all modern states . . . by custom, and without any action of the legislative power."

The lawyers for the slave and state, Ellis G. Loring and Rufus Choate, and Chief Justice Lemuel Shaw supported the Lofft-Mansfield doctrine. Shaw stated that slavery had been abolished in Massachusetts, and therefore there was no municipal law to support the relationship between master and slave. Slaves, then, brought by masters into the state, could resume their natural freedom.[26]

The next year Chief Justice Williams of Connecticut announced a similar decision. "From the law, as settled in Somersett's case," he declared, "a foreigner who brings his slave into a country where slavery is not permitted, cannot hold him. . . ."[27]

Southerners disliked the decisions of these state courts respecting slaves temporarily residing with their masters in free states. They disliked even more the position taken by New York courts after repeal of the state's sojourner law in 1841. Some free states, frequently those bordering on slave states, had granted slaveowners the right to pass through but not the right to reside temporarily within their borders.[28] But in *The People* v. *Lemmon,* in 1852, New York broke with precedent, declaring free eight "persons of color" travelling from Virginia to Texas with their Virginia owner. The steamship aboard which they began their travels stopped at New York City, where they were temporarily landed and housed and where a suit for their freedom was initiated.

John Jay, grandson of America's first Chief Justice and first president of New York's Manumission Society, began his argument on behalf of the slaves by invoking the Somersett case. The instant New York repealed its sojourner law, Jay argued, the common law "as declared in the case of Somersett

[26] 18 Pickering 194-225.

[27] *Nancy Jackson* v. *Bulloch* (1837), Helen T. Catteral, ed., *Judicial Cases Concerning American Slavery and the Negro* (5 vols., Washington, 1926-37), IV, 433-5.

[28] The decisions in an Indiana case, *Sewall's Slaves,* and an Illinois case, *Willard* v. *The People* are discussed by Judge Paine who handed down a contrary opinion, 5 Sandford 707-10.

resumed its sway, making every slave *other than a fugitive,* the instant he touches our soil, a *free man.*''[29]

Either unwilling or unable to argue at length against the well-established Mansfield doctrine, H. D. Lapaugh, one lawyer for the owner, sought refuge in the law of nations, citing Emmerich de Vattel to prove ''that the property of an individual does not cease to belong to him on account of his being in a foreign country. . . .'' Regardless of any common law concept or New York's repeal of the sojourner law, courts were obligated to follow the dictates of the law of nations and allow slave property to be transported through free states.[30]

The court rejected Lapaugh's position. Though admitting that strangers had the right to pass through territories with their property, the judge ruled that transportable property consisted only of ''merchandise or inanimate things.'' He, like Lapaugh, was perfectly willing to refer to the law of nations because there he found proof that all men are by nature free and that slavery existed only by force of local law. Therefore, he concluded, under the law of nations ''it is . . . as much the slave's right . . . to be free,'' when brought, for no matter how short a period, into a non-slaveholding state, ''as it is the master's to pass through the country.''[31]

Five years later, in the Dred Scott case, McLean and Curtis adopted many of the ideas developed in state courts. Their arguments were derived from decisions handed down in *Commonwealth* v. *Aves* and similar cases, as well as in *Prigg* v. *Pennsylvania* and the Somersett case. Property in a human being ''does not arise from nature or from the common law,'' said McLean summarizing the already familiar argument. In 1842 Justice Story had ruled that slavery was a municipal regulation limited to the range of territorial laws,

[29] *Ibid.*, 704.

[30] Lapaugh also argued that New York was required to give "full faith and credit" to acts of Virginia. Since the slaves were only in transit through the state, New York should recognize the Virginia laws making the Negroes property. *Ibid.*, 694-5.

[31] Justice Paine relied on a positive law doctrine for his decision, but he traced the doctrine not to Lord Mansfield but to Roman Law. *Ibid.*, 711. For southern reaction to this decision, and for the reaction of some northern merchants, see Philip S. Foner, *Business & Slavery* (Chapel Hill, 1941), 61-2; Charles Z. Lincoln, ed., *Messages from the Governors . . . 1683 to . . . 1906* (11 vols., Albany, 1909), IV, 808-11; *Lemmon* v. *The People*, 26 Barbour 270-89 (1857).

and Story's decision, McLean wrote, "is not a mere argument, but it is the end of the law, in regard to the extent of slavery. Until it shall be overturned, it is not a point for argument. . . ."[32] Since Illinois had prohibited slavery, Dred Scott became free when kept there for two years.

Southerners, and northerners hopeful of avoiding sectional disputes, were indignant over the use made by courts of the positive, municipal law doctrine, which they easily but mistakenly traced back to Lord Mansfield. They voiced their complaints in official statements as the nation drifted towards civil war. Mississippi, seceding from the Union, protested northern action which "insulted and outraged our citizens when travelling among them for pleasure, health or business, by taking their servants and liberating the same, under the forms of state laws. . . ." The legislature of Arkansas suggested a Constitutional amendment to guarantee slaveowners protection of their property "when they are travelling through or temporarily sojourning . . . in non-slaveholding States. . . ."[33]

When, early in 1861, delegates from the seceded states met in Montgomery, Alabama to adopt a Confederate Constitution, they wrote into their fundamental document the guarantees which Arkansas and other southern states had unsuccessfully sought while in the Union. No slave lawfully carried from one state into another, the Constitution declared, "shall, in consequence of any law or regulation therein, be discharged from . . . service or labor. . . ."[34]

But not only did southerners prevent the application of the Somersett decision, as it was known to them and other Americans, on a state-wide level, they also prevented future application of the decision on a national level. To avoid some of the controversies which had split the Union, the Confederate Constitution specifically stated that in all territory acquired by the new nation "the institution of negro slavery . . . shall be recognized and protected by Congress and by the

[32] 19 Howard 549.

[33] Henry Steele Commager, ed., *Documents of American History* (7th ed., 2 vols., New York, 1963), I, 371-2; Lincoln, *Messages from the Governors*, V, 352-6.

[34] Article IV, Section 2. Charles Robert Lee, Jr., in *The Confederate Constitutions* (Chapel Hill, 1963), attributes the presence of these clauses to the Dred Scott case. Lee, 111. It seems more likely that they are a result of southern knowledge of the Lemmon case and similar cases in northern courts.

territorial government. . . .'' For many years southerners had argued that slavery existed automatically in any territory possessed by the government. The Constitution, John C. Calhoun had said, transmigrated to the territories, carrying with it a guaranteed protection of slaveholders' property. In 1850 Representative John Millison of Virginia had declared that slavery existed in newly acquired California and New Mexico whether or not any slaves were actually in bondage there.[35] Southerners, denying Congress all power over slavery in the territories except the power to protect the institution there, contended that slavery did not have to be introduced by positive law; it existed independently under the law of nations and the law of nature.

Opponents of slavery's expansion countered southern arguments with Lofft-Mansfield ideas which, by the 1840s and '50s were commonplace, though not everyone was aware of the source of those ideas. Daniel Webster denounced Calhoun's theory; Thomas Hart Benton classified Calhoun's doctrine ''as a vagary of a diseased imagination,'' pointing out that ''slavery, as a local institution can only be established by a local legislative authority.''[36] In his Dred Scott decision, Justice Curtis built on the Mansfield doctrine to prove that slavery could not enter territory until Congress enacted ''regulations . . . concerning slavery therein.'' The framers of the Constitution, it was ''rational to conclude,'' Curtis said, knew that slaves taken to territories where there were no laws dealing with slavery ''must cease to be available as property. . . .''[37] And Abraham Lincoln, accepting the ideas that ''*no* law is free law,'' and that taking a slave to a place where there was no law on the subject of slavery ''operates his freedom,'' denied that a slaveowner had the same right to take his slave to territories as a ''freeman has to take his hogs or his horses.''[38]

It was no leap at all from the position of Lincoln and others to the Republican platform of 1860 which decried ''the new dogma that the Constitution, of its own force, carries Slavery into any or all of the Territories of the United

[35] Benton, *Thirty Years' Views*, II, 729-33; Henry Cabot Lodge, *Daniel Webster* (Boston, 1883), 295; Jenkins, *Pro-Slavery Thought*, 145, note 102.

[36] Lodge, *Webster*, 298; Benton, *Thirty Years' View*, II, 714.

[37] 19 Howard 625.

[38] Lincoln's remarks were made in speeches in Springfield and Peoria, Illi-

States. . . .'' In a good Lofft-Mansfield vein the platform continued: ''the normal condition of all the territory of the United States is that of freedom. . . .'' Slavery, an institution contrary to natural law, simply had no legal being until legislated into existence.[39]

The Republican platform of 1860, then, was a logical, though much belated, outgrowth of the Lofft-Mansfield Somersett decision of 1772. The idea that slavery existed only by virtue of positive law, an idea Americans got from Lofft's *Reports,* was in many ways a significant influence on Americans. It had necessitated the passage of fugitive slave laws; it had been used by state courts to free some Negroes temporarily residing in, or in transit through, free states. And, finally, it had provided one argument in the effort to keep slavery penned up in the southern states. The doctrine was clearly one obstacle to harmonious relations between free and slave states, but it was in one sense an artificial obstacle complicating a complex and troubled relationship. Opponents of slavery undoubtedly would have developed their own positive law approach to the south's peculiar institution had it been necessary. But they found a decision ready-made, and one which carried much weight because it had been handed down by an English court presided over by the highly respected Lord Mansfield. Southerners would have found at least some consolation, though probably not much protection, in the knowledge that Mansfied had not freed 14,000 slaves. In part, the slaveowners were the victims of the newpapers and of Capel Lofft.

JEROME NADELHAFT

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nois, 4 and 16 October 1854. Roy P. Basler, ed., *The Collected Works of Abraham Lincoln* (8 vols., New Brunswick, 1953), II, 245, 262.

[39] Commager, *Documents,* I, 364. Kenneth Stampp argues that the Republican platform of 1860 is more obscure in referring to the territories than the platform of 1856 had been. Stampp, "The Republican National Convention of 1860," in J. Jeffery Auer, ed., *Antislavery and Disunion 1858-1861* (New York, 1963), 204. But Stampp is wrong; the two platforms do not say the same thing in different words. In 1856, before the Dred Scott decision, the Republicans argued that Congress could prohibit slavery in the territories. After that decision, though the Republicans thought it bad constitutional law, they argued that Congress did not have to prohibit slavery, for the natural condition of the territories was one of freedom.

VIEWS OF A NEGRO DURING "THE RED SUMMER" OF 1919

On the torrid afternoon of Sunday, July 27, 1919, white and Negro swimmers collided in savage combat on a South Side Chicago beach and thus ignited a long and fearfully anticipated race war. Sparked by this conflict, during which a Negro youth drowned, the interracial friction which for over two years had been smoldering in Chicago exploded in furious rioting.

The rioting raged for five days. Day and night white toughs assaulted isolated Negroes, and Negro mobsters beat white peddlers and merchants in the "black belt." As rumors of atrocities circulated through the city, members of both races craved vengeance. White gunmen in automobiles sped through the Negro district shooting indiscriminately as they passed, and Negro snipers fired back. Roaming mobs shot, beat, and stabbed to death their victims. The undermanned police force was an ineffectual deterrent to the waves of violence which soon overflowed the environs of the "black belt" and flooded the North and West Sides and the Loop, Chicago's downtown business district. Only six regiments of state militiamen and a cooling rain finally quenched the passions of the rioters, and even then sporadic outbursts punctuated the atmosphere for another week.

During the riot police officers fatally wounded seven Negroes, and vicious mobs and lone gunmen brutally murdered 16 Negroes and 15 whites. Well over 500 Chicagoans sustained injuries. This bloodshed inflicted an ineradicable scar on the city's reputation and it outraged the sensibilities of numerous Americans.

Chicago, however, was not the only scene of racial violence that summer. In the five-and-one-half months from April 14 to October 1, 1919, race riots bloodied the streets of 22 cities and towns throughout the country.[1] In addition, 74 Negroes were lynched.[2] James Weldon Johnson called this rash of racial violence in 1919 "the Red Summer."[3]

[1] U. S. House of Representatives, 66th Cong., 2nd Sess., Committee on the Judiciary, *Antilynching Hearings* (Washington: Government Printing Office, 1920), 42, 48.

[2] *Ibid.*, 48.

[3] James Weldon Johnson, *Along This Way* (New York: Viking Press, 1935), 341.

The causes of "the Red Summer" were several. In a nation motivated in great measure at this time by prejudice and intolerance—as evidenced by the xenophobia of the Red Scare—Negroes were highly susceptible objects of aggression. They possessed appropriate stimulus characteristics: that is, they were visibly distinct, their behavior was ostensibly strange or alien, and the white populace had long been antipathetic to them. Interracial competition was keen in the labor market and, in northern metropolises like Chicago where Negroes had migrated by the thousands during World War I, in the political arena as well. Due to a hiatus in residential construction during the war, adequate housing was at a premium; countless bombs ripped apart Negro homes in predominantly white neighborhoods in attempts to drive Negroes back to their black ghettos. In 1919, furthermore, acute interracial conflict was mounting due to the widespread white determination to reaffirm the Negroes' prewar status on the bottom rung of the racial ladder and the Negroes' aspirations for a larger share in democracy. During "the Red Summer" these various motivations coalesced and racial violence erupted on on a massive scale throughout the country.

Less than one month after the Chicago riot, Stanley B. Norvell, a Negro war veteran residing in Chicago wrote a letter to Victor F. Lawson, editor and publisher of the *Chicago Daily News*.[4] This letter is moving evidence that in 1919 a Negro with new needs and goals had emerged in the United States. As an upshot of the race's abundant contributions to the Allied victory—as soldiers, industrial workers, and purchasers of Liberty Bonds—Negroes were imbued both with pride in their race and a fierce determination to possess the rights pledged to all Americans by the Constitution. They felt they had earned the enjoyment of these guarantees. The "New Negro" was resolved also to defend militantly his life, liberty, and property against the aggressions of the white man. Norvell's letter mirrors what

[4] Lawson had recently been appointed to the Chicago Commission on Race Relations by Governor Frank O. Lowden of Illinois. The Commission, composed of six prominent Negro and six prominent white Chicagoans, studied for two years the origins and causes of the Chicago race riot, publishing their findings as *The Negro in Chicago* (Chicago: University of Chicago Press, 1922).

numerous Negroes were thinking in 1919, and it provides valuable insights into that turbulent summer of racial violence.[5]

My dear Mr. Lawson:-

As the cause of the Negro in America is one that is nearer and dearer to my heart than any other, it has become an obsession with me, and for that reason I am taking the liberty of inflicting upon you this unsolicited treatise on the subject. It is my fond hope that these unlettered lines—which are intended to throw a little light upon the controversy from the dark side—may be of some little service to you and your worthy commission, as data....

I take it that the object of this commission is to obtain by investigation and by conference the cause or causes of the friction between the two races that started the molecules of race hatred into such violent motion as to cause the heterogenous mixture to boil over in the recent race riots.

Few white men know the cause, for the simple reason that few white men know the Negro as an entity. On the other hand, I daresay that almost any Negro that you might meet on the street could tell you the cause, if he would, for it is doubtful—aye, very doubtful—if he would tell you, because Negroes have become highly suspicious of white men, even such white men as they deem their friends ordinarily. The Negro has always been and is now largely a menial dependent upon the white man's generosity and charity for his livelihood, and for this reason he has become an expert cajoler of the white man and a veritable artist at appearing to be that which he is not. To resort to the vernacular, "conning" the white man has become his profession, his stock in trade. Take for example the Negro in Chicago—and Chicago is fairly representative—sixty per cent of the male Negro population is engaged in menial and servile occupations such as hotel waiters, dining car waiters, sleeping car porters, barbershop porters, billiard room attendants, etc., where "tips" form the

[5] Stanley B. Norvell, Chicago, to Victor F. Lawson, Chicago, August 22, 1919, Julius Rosenwald Papers, Department of Special Collections, University of Chicago Library; reprinted by permission of the University of Chicago Library. In order not to interrupt the continuity of the document, the editor has not used [*sic*].

greater part of their remuneration. Thirty per cent are laborers and artisans, skilled and unskilled, governmental and municipal employees; while the remaining ten per cent are business and professional men.

Unfortunately it is always by the larger class—the menial, servitor and flunkey class—that the race is judged. Even at that, we would not object to being judged by this class of our race, if those who did the judging had a thorough knowledge of the individuals who make up this class. Unfortunately they have not this knowledge nor can they get it except through the instrumentality of just such a commission as that to which you gentlemen have been assigned. The white man of America knows just about as much about the mental and moral calibre, the home life and social activities of this class of colored citizens as he does about the same things concerning the inhabitants of the thus far unexplored planet of Mars. If any white man were to be asked what he thought of George the porter on the Golden State Limited; or of James the waiter on the Twentieth Century diner; or of Shorty who gives him his billiard cue at Mussey's; or of Snowball who polishes his boots at the Palmer House; or of that old gray-haired relic of by-gone days . . . who withholds his hat and menaces him with a long-handled whisk broom until he capitulates with a nickel; I say were you to ask any white man concerning these dusky servitors he would tell you that he was either honest or dishonest, that he was either industrious or lazy, that he was smart or stupid as the case might be. He will discuss him in a general superficial sort of way and if you press him further you will be surprised to know that in spite of his years of acquaintance with the subject he knows absolutely nothing about intellect, ability, ambitions[,] the home life and environment of one with whom he has come into daily contact for years. He is just a "nigger" and he takes him for granted, as a matter of course. . . .

In hotels, barber shops and billiard rooms where the patrons come in regularly, Sambo has a chance to get well acquainted with them. . . . He knows just what each one's business is and where it is located. He knows just where each one lives and in what circumstances. . . . He knows just how much each one is going to give him. There are some that never

give him anything but still he likes them immensely because they treat him with kindness and consideration. There are some who tip him most liberally whom he despises because they are always making some aspersion about his race or because they always want him to clown and demean himself in order to get their money. . . . He knows that if he says, "Yas sah, Boss," and grins that you will vote him a "good nigger" and give him something; but were he to say, "Very good,sir," you would not only give him anything but would probaably take a dislike to him and consider him supercillious. . . .

I can walk down the "Boul Mich" and be surveyed by the most critical of Sherlock Holmes's and I will wager that none of them can accurately deduce what I am or what I represent. They cannot tell whether I am well off or hard up; whether I am educated or illiterate; whether I am a northerner or a southerner; whether I am a native born Negro or a foreigner; whether I live among beautiful surroundings or in the squalor of the "black belt." I defy the shrewdest of your pseudo detectives to know whether I am a reputable citizen or whether I am a newly arrived crook. They cannot tell by looking at me what my income is. . . . The point is that I am only an ordinary, average Negro and that the white man is constantly making the mistake of discounting us and rating us too cheaply. He should wake up to the fact that brain is not peculiar to any race or nationality but is merely a matter of development.

This in a measure explains how the American white man knows less about the American Negro than the latter does about the former. . . .

The further causes of the apparent increased friction between the two races, in my opinion is due to the gradual, and inevitable evolution—metamorphosis, if you please—of the Negro. The Negro has also progressed in knowledge by his study of the white man, while the white man blinded by either his prejudice or by his indifference has failed to study the Negro judiciously, and as a consequence, he knows no more about him than he did fifty years ago and still continues to judge him and to formulate opinions about him by his erstwhile standards. Today we have with us a new Negro. A brand new Negro, if you please. What opportunities have

you better class white people for getting into and observing the homes of the better class of colored people[?] Yet the duties of the colored man in his menial capacities gives him an insight of your home life. As a suggestion, if I may be permitted to make one, I suggest that the white members of this commission make it their business to try to obtain an opportunity through some of the colored members of the commission to visit the homes of some of our better class people. You will find that "Uncle Tom" that charming old figure of literature contemporary with the war of the rebellion is quite dead now and that his prototypes are almost as extinct as is the great auk, the dodo bird, old Dobbin and the chaise, and the man who refused to shave until William Jennings Bryan was elected. You will have committed an unpardonable faux pas if you should happen to call any eminently respectable old colored lady "mammy" or "auntie," and yet there still remain many misguided and well-intentioned folks of the white race who still persist in so doing. This was all brought about by education. . . . When a young colored boy of Chicago goes through the eight grades of grammar school and wins the cherished Victor F. Lawson diploma; then through a four year high school course and wins a university scholarship; and then goes to college and wins a degree . . . and is highly popular and well received among his fellow classmates, it is a very difficult thing for him to get it into his head that he is inferior to anybody that has no more knowledge, ability nor money than himself. Regardless of what the eminent sociologists may say, and the fiery and usually groundless claims of the southern negrophile [negrophobe] to the contrary notwithstanding, there is no amount of logic, nor philosophy, nor ethnology, nor anthropology, nor sociology that can convince him to his own satisfaction that he is not the possessor of all the lesser and major attributes that go to make up a good citizen by all of the standards which our republican conventions hold near and dear.

Take the late war for example, and consider the effect that it has had upon the Negro, by and large. I believe that the mental attitude of the Negro that went to war is comparable in a certain degree to the mental attitude of most of the Negroes throughout the country; so far as the awakenings

are concerned. The Negro of this country has gone through the same evolution that the white man has, in his own way; and in a large percentage of the total, that way is not far removed from the way the white man's mind thought out the matter or is thinking it out, especially the soldier mind. The Negro of our country . . . the Negro of the mass I mean, is comparable in his awakening and in his manner of thought after that awakening, to these white boys who went to war. The white soldiers—being young—had but little thought of anything but their immediate concerns, and the Negro, until lately, had but little thought of anything but his immediate concerns—being segregated. How I loathe that word.

Since the war the Negro has been jolted into thinking by circumstances. . . . [Negroes] have learned that there were treaties and boundaries and Leagues of Nations and mandatories, and Balkan states, and a dismembered Poland, a ravished Belgium, a stricken France, a soviet Russia and a republic in Ireland and so on, and they have . . . for the first time in their lives taken a peep of their own volition and purely because they wanted to know, into the workings of governmental things of those other countries, and have tried to reason out the possible real cause of all of this bloodshed and woe and misery along such international, allied and foreign government and other vague lines.

Now then, this has logically—and we are nebulously logical, despite what the southern white says about us—brought us round to a sort of realization of how our government was made and is conducted. I venture to claim that any average Negro of some education, if closely questioned, and the questions were put to him in simple understandable form, will tell you that he finally has come to know that he counts as a part of his government, that he is a unit in it. It took a world war to get that idea into general Negro acceptance, but it is there now. Centuries of the dictum, which heretofore not many of us disputed, that, "This was a white man's country and that we were destined to always be hewers of wood and carriers of water," was set aside by circumstances and conditions and reactions and reflexes and direct contacts of this war. Negroes were pulled out of their ordinary pursuits all over the country and called upon to do things that they had

to do because there was nobody at hand to do them, and those circumstances induced an awakening that must inevitably continue for all time.

The five hundred thousand Negroes[6] who were sent overseas to serve their country were brought into contacts that widened both their perceptions and their prespectives, broadened them, gave them new angles on life, on government, and on what both mean. They are now new men and world men, if you please....

What the Negro wants and what the Negro will not be satisfied with until he gets is that treatment and that recognition that accords him not one jot or tittle less than that which any other citizen of the United States is satisfied with. He has become tired of equal rights. He wants the same rights. He is tired of equal accommodations. He wants [the] same accommodations. He is tired of equal opportunity. He wants the same opportunity. He must and will have industrial, commercial, civil and political equality. America has already given him these inalienable rights, but she has not always seen to it that he has received them. America must see that the Negro is not deprived of any right that she has given him otherwise the gift is bare, and in view of her recent international exploits she will stand in grave danger of losing her national integrity in the eyes of Europe and she will be forced to admit to her European adversaries that her constitution is but a scrap of paper.

Social equality—that ancient skeleton in the closet of the southern negrophile [negrophobe], whose bones are always brought out and rattled ominously whenever the Negro question is discussed—is in no way a factor in the solution of the problem, but is a condition that will quite naturally exist when the problem is eventually solved—just a little prior to the millenium. Leastwise considering the unsettled condition of the world at large, the white man of this country has a great deal more to be sensibly alarmed about than the coming of social equality. Looking into the future I can see more ominous clouds on the horizon of this country's destiny than the coming of social equality.

[6] Actually, approximately 200,000 Negro troops were assigned to overseas duty during World War I. *Negro Year Book*, 1919-21, 188; 1925-26, 250-53; 1931, 32, 331.

When the Negro ponders the situation—and now he is beginning to seriously do that—it is with a feeling of poignant resentment that he sees his alleged inferiority constantly and blatantly advertised at every hand, by the press, the pulpit, the stage and by the glaring and hideous sign-boards of segregation. Try to imagine, if you can, the feelings of a Negro army officer, who clothed in the full panoply of his profession and wearing the decorations for valor of three governments, is forced to the indignity of a jim-crow car and who is refused a seat in a theatre and a bed in a hotel. Think of the feelings of a colored officer, who after having been graduated from West Point and having worked up step by step to the rank of colonel to be retired on account of blood pressure—and other pressure—in order that he might not automatically succeed to the rank of general officer.[7] Try to imagine the smouldering hatred within the breast of an overseas veteran who is set upon and mercilessly beaten by a gang of young hoodlums simply because he is colored. Think of the feelings in the hearts of boys and girls of my race who are clean, intelligent and industrious who apply for positions only to meet with the polite reply that, "We don't hire niggers." Think how it must feel to pass at the top of the list and get notice of appointment to some nice civil service position that is paid for out of the taxes of the commonwealth, and upon reporting to assume the duties thereof, to be told that there has been a mistake made in the appointment.

When you think of these things, and consider them seriously it is easy to see the underlying, contributory causes of the friction that led up to the recent racial troubles. It is a well known fact that civilization is but a veneer which lightly covers the surface of mankind; that if slightly scratched, with the right kind of tool, a man will turn into a bloodthirsty savage in the twinkling of an eye. The overt act that is alleged to have started the recent conflagration, would not have in itself been sufficient to have ignited and exploded such vials of wrath had not the structure of society been long

[7] This reference is to Colonel Charles Young, a Negro full colonel in the United States Army, who was retired at the outbreak of World War I, just when his promotion to brigadier general seemed highly probable.

soaked in the inflammable gasolene of smouldering resentment.

As soon as the white man is willing to inform himself about the true status of the Negro as he finds him today, and is willing to take off the goggles of race prejudice and to study the Negro with the naked eye of fairness, and to treat him with justice and equity, he will come to the conclusion that the Negro has "arrived" and then voila, you have the solution to the problem.

We ask not charity but justice. We no longer want perquisites but wages, salary and commissions. Much has been said anent the white man's burden. We admit to having been a burden, just as an infant that cannot walk is at one time a burden. But in the natural order of things the infant soon ceases to be a burden and eventually grows up to be a crutch for the arm that once carried him. We feel that now we are able to take our first, feeble diffident steps, and we implore the white man to set his burden down and let us try to walk. Put us in your counting rooms, your factories and in your banks. The young people who went to school with us and who learned the three R's from the same black-board as ourselves will surely not object to working with us after we have graduated. If they do, it will only be because they are not yet accustomed to the new conditions. That is nothing. People soon become accustomed to new things and things that seem at first preposterous soon become commonplace. We have surely proven by years of unrequited toil and by constant and unfaltering loyalty and fealty that we are worthy of the justice that we ask. For God's sake give it to us!

STANLEY B. NORVELL

WILLIAM M. TUTTLE, JR.

Arlington, Va.

Note: Tuttle is on the research staff of President *Emeritus* James Bryant Conant of Harvard who is preparing his *Autobiography* and is America's greatest living educator.

The Predominantly Negro Colleges and Universities in Transition. By Earl J. McGrath. (New York: Bureau of Publication, Teachers College, Columbia University. 1965. Pp. xv, 204. Cloth $4.75, paper $2.75)

At a time when the entire American educational system is in a period of transition in which the spotlight is on equality of opportunity for all citizens, the need for objective data provided by sound research is urgent. The scholarly study, *The Predominantly Negro Colleges and Universities in Transition,* edited by Earl J. McGrath and made possible by a grant from the Carnegie Foundation to the Institute of Higher Education, is both accurate and cogent. The problems reported and the solutions offered are viewed as integral parts of American education in transition.

The report begins with the background of current attempts to "close the gap between professed egalitarian principles and our discriminatory practices" (p. 1) and the importance of educational opportunities in modern society. It states quite briefly the common arguments for the disestablishment of the weaker predominantly Negro institutions, namely, (1) low quality education, (2) the false image which they create for "the whole company of such institutions," and (3) their tendency to perpetuate segregation.

The remainder of the study is in effect a rebuttal of the arguments of those who would propose a kind of "institutional euthanasia" for all the weaker institutions which carry the label "predominantly Negro colleges". It begins with the fact that "Although the Negro colleges and universities include less than six percent of American institutions of higher education, and their enrollments comprise less than 3 per cent of all college students, these Negro colleges enroll over half of all Negroes attending the nation's institutions of higher education" (p. 3) Given the present handicaps which are the legacy of long continued discrimination a large number of these students, for an indefinite length of time, must choose between the Negro college and no higher education at all.

The study is careful to stipulate that these colleges are to be considered as in transition, many of them being in the "same conditions that restricted developments in . . . other small colleges fifteen years ago" (p. 154). However, "The curricula, faculties, students and facilities of the Negro colleges have the same potential for improvement" (p. 154).

The main body of the study covers important data on these institutions such as curricular offerings, sponsorship, planning, finances, facilities, etc. The samples drawn are sufficient to provide

grounds for an estimate of a number of the strengths and weaknesses. The sources of materials are extensive and documented by extensive notes and an excellent bibliography. On these bases the general appraisal is that for an indefinite period a large number, perhaps one half, of the Negro students will obtain their higher education from predominantly Negro colleges. To insure that the largest possible number of them will be brought up to current norms a massive program of private foundation, local, state, and federal government aids must be directed toward accelerated programs such as precollege and remedial, supplemented by many varieties of cooperative effort such as student and faculty exchange programs with more advanced institutions and various types of university centers.

In summary, the McGrath report provides a realistic analysis of the present state of the predominantly Negro college and creative suggestions as to the means by which they can at once remain as integral functioning parts in the transition of the American educational system while at the same time moving in the direction of losing their identity in the mainstream of American culture.

W. R. COLEMAN

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The Petitioners: The Story of the Supreme Court of the United States and the Negro. By Loren Miller. (New York: Pantheon Books, A Division of Random House, 1966. Pp. xv, 461. Price $8.95)

Deeply involved in the flux and flow as well as the pressures and counter-pressures of the drama of history, institutions, not unlike individuals and groups, shift perspectives, change direction, and sometimes reverse themselves. History is laced with some ironic reversals; hence the significance of a sense of history.

A classic example of institutional reversal is the Supreme Court in relation to the aspirations of the Negro. Though a mighty long time in evolution, the Court has been transformed from foe to friend of the Negro, from giving eloquent and weighty constitutional sanctification to racism to leadership in the enlargement and strengthening of the Negro's rights, privileges, and immunities as citizen and human being. The long journey is fascinating and tragic as well. The revolution in judicial thinking is a great and moving story of massive, almost incredible, proportions and consequences—profoundly affecting to totality of contemporary American life and culture.

The Petitioners is an impressive and exciting book. It was written by Loren Miller, a judge of the Los Angeles Municipal Court.

The writing is beautiful and the story swiftly moving. Lawyers and judges are not well known for their literary skill. Judge Miller must be added to the list of exceptions. His experience in the newspaper field is a big aid. Also adding strength to the book is the author's vast experience as a civil rights lawyer who made several appearances before the Supreme Court. Then, too, he has the good fortune and experience of being a local judge. All told, it is difficult to imagine a better background for the task. Judge Miller writes with a sure touch.

The Petitioners is a constitutional history of Negro Americans, though, to be sure, it is no narrow compilation of cases isolated from the historical forces, vitalities, and living realities of the times. "The story," Judge Miller asserts, "is an inquiry into the checkered relationship of the Supreme Court and the Negro—of its beginnings, of its growth; of its good and of its evils; of the manner in which its decisions have affected the lives and the well-being of the nation; of its present and, inevitably, a forecast of the future. It begins with the background and the making of the Constitution the Supreme Court has construed." (p. 15)

The account narrates and makes sense of the staggering litany of major and minor constitutional cases involving slavery, education, voting, public accommodations, the Civil War Amendments and Reconstruction statutes, restrictive covenants, transportation, attempts to curb the NAACP, and the sit-ins.

The burden of Judge Miller's book is that, until recent decades, the Supreme Court twisted and emasculated and nullified the privileges, rights, and immunities of Negroes and placed its great power, prestige, and moral authority behind the incubus of racism. It justified the relegation of Negroes to an inferior order of existence in conformity with the dogma of white supremacy and therefore contributed mightily to their dehumanization. It did all this by insisting that the supervision and protection of civil rights is the responsibility of the states—thereby succumbing to the infamous and, so far as Negroes were concerned, fatal doctrine of states' rights.

In the 1930's, however, the Court began to shift and develop into an agency of social reform and racial justice instead of a bulkwark of conservatism and racism. It has moved "at an ever accelerating pace toward making the Negro more and more of a *free man* and less and less a *freedman*." (p. 433)

A perceptive observation is that "the guardian-and-ward relationship between the Supreme Court and the Negro, originating before the Civil War, has persisted into our own times. The forced reliance of the Negro on Supreme Court action for vindication of

ordinary rights and privileges of citizenship has bred the popular belief that the judicial branch of government is the proper forum for the redress of all racial grievances." (p. 13)

Understandably, the book closes on an optimistic note: "There is Tomorrow Bright Before Us!" True enough. But history is too full of ambiguities and imponderables for excessive optimism. There is no immutable safeguard against the future reversals of the Supreme Court or the *Zeitgeist*. No institution is worthy of unconditional faith and optimism.

SAMUEL DUBOIS COOK

Atlanta University

Mental Illness in the Urban Negro Community. By Semowe Parker and Robert J. Kleiner. (New York: The Free Press, a Division of the Macmillan Co. and London: Collier-Macmillan (Ltd.). 1966. Pp. 408. Price $9.95)

Mental Illness in the Urban Negro Community is a result of a study stimulated by the findings of Malzberg and Lee in 1956 that Negroes who migrated predominantly from the South between 1929-1939 had significantly higher rates of first admission to both private and public hospitals in New York State, because of mental disorders than Negroes born and reared in New York. The results of their own study reversed the above conclusion. First admissions for mental disorders were found to be greater for Negroes born in Philadelphia than for migrants from the South and somewhat higher than admissions of Negroes from the North. When the results of studies of juvenile delinquency and of broken homes due to divorce, separation, and dissertion also showed that the incidence of both were higher for the native members of the Negro community of Philadelphia than for migrants to the city, the authors sought an explanation of why this was so.

Mertons' conception of anomie which stresses the fact that high rates of deviant behavior are most likely to occur where the ethos of a society stresses high success goals but where society furnishes limited access to the achievement of those goals seemed to offer a theoretical construct with which to analyze the questions which the contradictory findings of the studies raised in their minds. Was it possible in the light of this thesis that Negroes who had been reared in Philadelphia and hence were exposed to an ethos which stressed high success goals for every one might experience higher discrepancies between achievement and aspiration than Negroes from the South whose aspirations were rendered more modest by the oper-

ation of a more restrictive caste system? While the authors recognized that mental disorders can not be explained by goal striving behavior alone, they decided to focus their study on the psycho-pathogenic effects of such behavior.

The technique employed in the study involved subjecting the data collected from the questionnaires to elaborate statistical analysis and hypothesis testing. The plans, success, and fears of a random sample of 3000 Philadelphia Negroes were ascertained through interviews. The sample was so constructed that it was possible to compare the results obtained from the mentally ill, who were for the most part still functioning members of society, with those obtained from the normal population.

The results of this study did not support the commonly held view that the mentally ill have become so as the result of a greater fear of failure than is characteristic of the normal population. The study did show that the mentally ill do set for themselves goals which are higher than they can achieve. They are, therefore, characterized by a high degree of goal stress and tend to think of themselves as less competent than members of their group. They develop unhealthy self images, devalue their own abilities, and think of themselves as of less worth.

Parker and Kleiner, viewing the implications of their study, caution against viewing lower status Negroes who live in a culture of poverty as individuals who have low aspirations and who lethargically accept their fate. The facts of their study suggest that these persons are not characterized by a passive acceptance of fate but rather by painful compromise. Again, whether the civil rights movement and the demand for freedom now result in a decrease in mental disorders among Negroes will depend upon whether the opportunities for the attainment of the aspirational levels which the movements inspire increase concurrently. To the extent that the civil rights movement, as now seems likely, increases positive group identification and cohesion within the Negro community it should result in a decrease in mental disorders. The authors are especially to be commended for stating unequivocably their position that, given the American ethos with its emphasis on goal striving, the only way to reduce the stresses arising from the disjuncture between aspirations and achievements is to provide the Negro with greater opportunities to participate more fully in all areas of American life.

The authors of *Mental Illness in the Negro Urban Community* have produced a valuable study in which they have brought to bear upon their subject the relevant findings of other studies as well as the results of their own exacting research techniques. Their book should

be required reading for all who would understand the relationship between man's socio-cultural environment and his mental health.

HENRY J. MCGUINN

Virginia Union University

Anger, and Beyond. Edited by Herbert Hill. (New York: Harper and Row, Publishers, Incorporated, 1966. Biographical Notes. Index. Pp. xxii, 227. Price $5.95)

Those unable to attend the seminar on "The Negro Writer in the United States," sponsored in the summer of 1964 by the University of California (Berkeley) Extension Program, missed something. They missed, as the press reported, the excitement of clashing personalities championing their views, the harsh questioning of speakers by impatient participants, the heady mood of protest and dissent that dominated the meetings. Writing, and literature, except for the poetry reading sessions and a few of the speeches, trailed, in terms of interest, a poor second. Since the seminar produced a great deal of heated talk and, apparently only perfunctory listening, it is fortunate indeed that this volume setting forth the ideas and positions of the seminar speakers has appeared. The thirteen essays by well known, able writers in *Anger, and Beyond* assess the duties, problems, and potential of the Negro American writer. They need to be read and pondered by far more people than the seminar participants.

As in any sort of symposium, these essays are uneven in quality and in craftsmanship. They vary, understandably, in viewpoints and emphases. In some of the essays generalization, assertion, and repetition make poor substitutes for logic and proof. Such blemishes, however, become miniscule when compared with the cumulative impact of the selections and, despite whatever happened at the seminar, the startling amount of agreement on general principles and basic concepts the essays show. These themes, however differently stated, recur in most of the selections: the Negro has something of value to offer white America; Negro writers, and white writers as well, have in the making a new and far more receptive audience than in the past, one that is racially integrated; the Negro writer, in order to communicate at all effectively with this new audience, must exercise the highest standards of literary craftsmanship and artistic integrity.

Most of the essays also assert that a new American society, racially integrated, is evolving, thus providing the writer with his new audience. It is refreshing, and fitting, that this volume should itself exemplify integration. Though most of the contributors are Negroes,

all are not. The non-Negro contributors, Herbert Hill, Robert Bone, Harvey Swados, and Nat Hentoff, to a degree, not only accept but affirm the cultural and artistic gains which will accrue from a racially unified America.

Heretofore, anger and protest at injustice, exploitation, and brutality have marked the limits of most Negro writers' horizons. The essays by Saunders Redding, Horace Cayton, Arna Bontemps, Albert Murray, and some of the other writers reveal that beyond protest and anger lie the possibilities of a new society and a new audience, stimulating and challenging the writer, white and Negro, to the utmost. From this new way of thinking and acting by all of the multi-racial elements in our country "will come," as Swados points out, "a new kind of literature for a newer and better kind of human being." Surely the turmoil and anguish—the confrontations —now rending America should bring forth such a consummation. Perhaps they can. Perhaps they will.

J. Welford Holmes

Morgan State College

From Race Riot to Sit-In: 1919 and The 1960s. By Arthur I. Waskow. (New York: Doubleday and Co., Inc., 1966. Pp. xviii, 380. $5.95)

This book is a comparative analysis of two critical periods—1919 and the 1960s—in race relations in the United States, by a writer who is deeply committed to the principle of equal rights for all Americans and who has a strong conviction that all legitimate power of the state should be directed toward the implementation of that principle. Though race relations in both periods have evoked considerable conflict, often violent, the author traces a progressive tendency away from techniques of violence to techniques which are "disorderly," but not designed to produce violence. These techniques, such as sit-ins, freedom rides and marches, voter demonstrations, and job blockades, currently identified with the Negro civil rights movement, the author describes collectively as "creative disorder" and "politics of disorder." He contends that racial conflict is not inherently violent and that, where a neutral police power exists, the techniques of "creative disorder" utilized to adjust racial friction, need not lead to violence. Thus, the author's underlying theme is the necessity of the control and management of racial conflict in the 1960s to prevent its deterioration into the racial violence of the 1919 race riots.

Approximately two-thirds of the volume is devoted to a descriptive analysis of the seven major 1919 race riots in Washington, D.C.,

Chicago, Charleston, S.C., Longview, Texas, Knoxville, Tenn., Omaha, Nebraska, and in Arkansas. Largely the products of economic pressures and opportunistic journalism, all of these riots were similiar in two basic respects: (1) the use of unneutral action by the police power, the wielder of "legitimate violence" in favor of the whites, and (2) the determination of Negroes to fight back and challenge accepted assumptions of subordination. Major attention is given to the riots in Chicago and in Arkansas: the first because of the national attention which it commanded as well as the encouraging, though unfulfilled, response among Negro and white citizen's to improve Chicago's race relations; the second because it was the most thoroughly and successfully ajudicated of all the riots of 1919.

Possible because governments at all levels, since 1960, have permitted considerably more "disorder" in the adjustment of racial problems than in 1919, "creative disorder" has emerged as the most effective technique for attaining racial equality in the 1960s. The author devotes four chapters to an account of the emergence of sit-ins, freedom rides, voter demonstrations, and to riots in northern cities. Though the scholarly reader will chafe at the author's tendency to offer simple solutions to admittedly complex constitutional issues, he may find the brief discussion of the "behind the scenes" political maneuvering which produced the Civil Rights Act of 1964 informative.

Waskow regards the "politics of disorder" as a valuable democratic technique because of its deep and direct involvement of an increasingly large number of citizens, formerly outsiders, in the American political process. He contends that this involvement benefits both society and the individuals, for while "they [techniques of "creative disorder"] help to reshape society, they reshape those who carry on the disorder." The long range effectiveness of "creative disorder," however, as a means of managing racial conflicts, the author justifiably concedes, "must depend mostly upon two factors: the response of political authorities to the use of controlled forms of disorder . . . ; and the degree of inventiveness and self-discipline in the Negro community" as it seeks to create and apply new techniques in the solution of racial problems.

The primary contribution of *From Race Riot to Sit-In* is the focus that it gives to America's foremost domestic problem and to the urgent need for immediate, non-violent approaches to its solution. Although the work is generally enlightening, sometimes provocative, and based on substantial research resources, it is rendered in a highly unreadable style, marred by faulty syntax, diction and punctuation. More careful editing might have rendered the author's

ideas in a less circuitous and more readable prose style. The strained analogies, particularly those so insistently drawn between the control of domestic violence and the control of international violence, are also objectionable and disturbing. On the other hand, the author's assertion that "creative disorder" has implications beyond the racial area is well taken. Already various social and economic groups, finding this technique useful, have used it effectively.

Two appendices—a listing of minor racial violence in 1919 and reproductions of posters that appeared in Negro areas of Chicago during the 1919 riot, a good selected bibliography, an archival note concerning manuscript collections consulted and an index complete this "unorthodox history."

B. H. Nelson

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Washington, D. C.

Slavery and Methodism: A Chapter in American Morality. By Donald G. Matthews. (Princeton: Princeton University Press, 1965, Pp. XI, 329. $7.50)

Slavery and Methodism is a fully documented book which has gone through the evolutionary stages of a seminar paper and a doctoral dissertation.

The book tells in chronological fashion the sixty-four year struggle of Methodists to square the practices of a large segment of the Church with respect to human slavery and the percepts of the General Rules of John Wesley which prohibited "the buying or selling the bodies and souls of men, women and children, with an intention to enslave them." At the organization conference at Baltimore in 1784 it was declared that "any Methodist who did not free his slaves . . . was to be denied the elements of the Lord's Supper and expelled."

To this reviewer, the most tragic figure throughout the whole book is Bishop Francis Asbury, the father of the Methodist movement in America. He led the early attack on slavery, and his preachers "throughout the South condemned slavery, in some instances likening slaveholders to 'horsethieves & hogstealers' and other nefarious riffraff." (p. 14) It was Asbury who included Wesley's old rule into the General Rules of the Methodist Episcopal Church.

The stringent rules against slavery were unenforceable. Methodist laymen in the slaveholding areas simply refused to free their slaves, which to them were valuable pieces of property. By 1800 Bishop Asbury concluded that he had been fighting a losing battle and decided to mitigate the antislavery rule at the next General Conference.

When the 1816 General Conference convened, Asbury was dead; ("this small, frail prophet of lonely places and never-ending trails who had introduced opposition to slavery into the councils of the Church, then caution, then compromise; and with his death came the final gasp of ecclesiastical determination to oppose slavery throughout the nation.") (p. 28)

With the 1820 General Conference, which was influenced by the Missouri Compromise—slavery was no longer a major item on the agenda. There were weightier subjects such as the hierarchial make-up of the Church. Succeeding quadrennial sessions of the Church's ruling body rejected all attempts to return to the original statements of the "fathers" on the enslavement of human beings.

At the time when John Quincy Adams was being thwarted in his efforts to get antislavery petitions on to the floor of the House of Representatives, the General Conference of the Methodist Church was referring abolitionist memorials to a Committee on Slavery which reported that it was not expedient to change the Discipline of the Church and improper to agitate the subject at a time when the General Conference should be getting on with more pressing problems.

Abolitionists were no more welcome in the councils of the Methodist Church than they were in the political arena. The bishops in 1840 accused them of agitating in terms of "crimination and reproach," which was contrary to the principles of Methodism. In reference to the revered General Rule, the prelates wrote that the Church had never insisted on emancipation "in controvention of the civil authority," or wherever the slave was prohibited from enjoying his freedom.

The great Methodist Episcopal Church split into northern and southern units in 1844. At issue was the status of a bishop, James O. Andrew, a slaveowner.

The breakup of the Church in 1844 was the culmination of several decades of violent internal conflicts over the issue of slavery, the compromising statements of the leadership to the contrary notwithstanding.

Slavery and Methodism points up the peculiar place of the church in American life. So many people, in high places and low, have indulged in the favorite pastime of blaming the church for this or that sin of omission or commission, as though it was a separate and distinct entity in American life.

Professor Matthews' careful study shows that the same persons who were members of the Methodist Church were also voters and office holders at local, state, and national levels. The men who were concerned with the squaring of practices with the precepts of the

Declaration of Independence were also at the same time developing stomach ulcers over the precepts of the General Rule on slavery as opposed to the practices of Methodist clergy and laymen. The American Colonization Society and the Mission to the Slaves were salves on the consciences of politicians, who, at the same time, were denominationalists. Abolitionists were anathema no less to southern slaveholding congressmen and their conservative northerner sympathizers than they were to their Methodist counterparts in General Conferences.

The conclusion of the whole matter is, that if in some way all references to pastors, bishops, conferences, Methodists, religion, *et cetera, et cetera* could be deleted from Professor Matthews' book, we would have an account of the American struggle over slavery from 1780 to 1844. Although it was not Professor Matthew's intent, the book points up the myth of the separation of Church and state, in the truest sense, in the United States.

The majority of slaveholders, overseers, slavetraders, copperheads, klansmen, authors of grandfather clauses and segregation ordinances, defenders of the separate but equal doctrine, discriminators, segregators, birchites, and citizens councilors were and are members in good standing in a church.

Joseph H. Taylor

Bethune-Cookman College

Southern Justice. Edited by Leon Friedman, with a Foreword by Mark DeW. Howe. (N.Y.: Pantheon Books, 1965. Pp. 306. $5.95)

When Col. T. W. Higginson's pioneer Black Regiment was mustered out, one hundred years ago, his successor announced at the final dress parade: "The nation guarantees to you full protection and justice." (*Army Life in a Black Regiment,* Collier ed. p. 279.) Continuously from the era of Andrew Johnson to that of Lyndon Johnson that pledge has been unredeemed; the national honor defiled. First hand evidence is offered in the work under review of the continuing gap, in the period since President Kennedy's death, between promises in Washington and performance in the Southland.

The content of the numerous reports written by lawyers who served tours of duty as civil rights volunteers will come as no surprise. The overall lesson is the same as that of the last century: "the states' legal institutions were and are the principal enemy" of the civil rights movement without substantial or effective interference by the federal officials sworn to uphold the federal constitution and defend the "national honor" with which they claim to be

so pre-occupied—

State legislatures, elected as the fruit of unconsititional disfranchisement, "have no hesitation in passing laws that blatantly violate the Constitution." Mayors and municipal officials do not hesitate to rubber stamp ordinances and proclamations designed to harass civil rights workers. Abuses by police and sheriffs are repeated again and again with impunity. Public prosecutors use their authority to press "baseless charges" or to "protect the white hoodlums." The offenses of the illegally elected, compounded by those whom they have illegally appointed, are rounded out by the sins of the local bar (forgetful of their oaths and of professional ethics in their abdication of responsibility) as well as the state and local judges at every level of the heirarchy.

None of this is surprising to the student of the history of which it is the inevitable product. What is appalling is the proof that, even now, the guardians of "national honor," the judges of the federal courts and the United States attorneys who are appointed by the President and removable by him,—and whose nonfeasance is therefore continuously attributable to him—still continue to move with leaden feet, and some in a backwards direction. Violations of constitutional right are winked at unless they reach such a level of atrocity and notoriety that expedience dictates a semblance of action.

The by now annual call of the Executive to "Congress to join in an attack on the discrimination that still afflicts our land" (Message, April 28, 1966) has earmarks of hypocrisy rather than honest leadership, when one is reminded, as one is in Mr. Burns' essay in *Southern Justice,* of the many weapons of the law that have not been used, or barely touched, by the Federal government. He cites law after law, of the past and of the present, but all still on the books, that should be and have not been enforced. The words that Mr. Friedman applies to the bulk of federal judicial performance, "astonishingly bad," seem to apply as well to President Johnson's Attorney General. Unmentioned in the book, because it had not yet occurred, is the striking case of the cruel and illegal attack on the Selma demonstrators in March 1965, where the criminal Alabama guardsmen were seen by millions on television. The immediate outcry induced Mr. Katzenbach to say "I have no question that Federal law was violated;" yet a year and more has passed and no teargassing, clubwielding Alabama guardsman has been prosecuted.

There have been exceptions, of course, to the roll call of the nullifiers, who are given due credit in this work. Most notable group is the energetic and sometimes effective minority of Fifth Circuit U.S. Court of Appeals judges. A recent striking attempt to revive

the Constitution was this Court's setting aside of the municipal elections in Sunflower County, Miss., a bold and wise step that may be contrasted with the betrayal that occurred when the President's Congressional leaders combined to use Democratic Party discipline to beat down the Mississippi Challenge to the so-called congressmen whose election was as bogus as that of the Sunflower officials. Another measure of the inadequacy of Presidential performance is that to this day there is not a single Negro federal judge in the South: last year when Mississippi's Judge Mize died, Hon. Paul O'Dwyer of New York called for his replacement by a Negro, but was ignored by Mr. Johnson.

Anti-Negro administration of "justice" is by no means confined to the South, as Mr. Friedman emphasizes in his Introduction. He notes especially that "Negroes undoubtedly handled differently from whites in many northern police stations," a phrase that anyone who has read Truman Nelson's story of a Harlem tragedy, *The Torture of Mothers*, will recognize as a judicious understatement. Within its scope, however, *Southern Justice* is a valuable and well-organized work, a record of the history that is unfolding under our very eyes, and of the disgrace to a nation that tolerates such abuses while claiming to have reformed.

Howard N. Meyer

Rockville Center, N.Y.

The Antislavery Argument. Edited by William H. and Jane H. Pease. (New York: The Bobbs-Merrill Company, Inc., 1965. Pp. vii, 492. Introduction, selected bibliography, index. $2.75)

The antislavery movement has not suffered from a want of chroniclers. The movement and its protagonists have been examined and analyzed by a number of reputable historians. What has suffered has been the reputation of the abolitionists themselves. Base motives have been ascribed to them in the effort to determine the kind of people they were, and varied roles in American development have been assigned to them. What their motivations were, and the degree to which they influenced (for better or worse) the shaping of events have been disputed. By and large though, conclusions drawn have not been complimentary. The most recent study does present "a more sympathetic evaluation" of the complexities of the movement and its leaders. It is helpful then, to find between the covers of this volume a collection of sources which "reflect the many dimensions and varieties of antislavery thought" from that of Anthony Benezet to that of those who espoused political action in the middle of the nineteenth century. Examination of these documents, or at least a

representative sampling of them, could possibly prompt a personal re-evaluation of the character, motives, and historical roles in American life and thought of the oft maligned abolitionists.

This is the most complete and comprehensive collection of documents illustrative of antislavery thought that this reviewer has seen. Lack of space prevents intelligent comment on individual selections. The editors do that for each document included in this collection. It is enough to say that among them are expressions of eighteenth century Quakers, Garrison and his followers, those who favored colonization, evangelical reformers, political activists, free Negroes and former slaves, just to mention some. The choices are rounded out with the Emancipation Proclamation and the Thirteenth Amendment.

Adding to the worth of the volume is the perceptive introduction by the editors. Although the historian will find nothing startling or revolutionary here, this is a reasoned synthesis in depth based on secondary and primary sources. This introduction forms an excellent background for the documents that follow. Useful for quick reference is a table of chronology placed conveniently near the beginning of the book. This well edited book of documents is a worthwhile contribution to continuing attempts to understand the antislavery movement in our history.

EDWARD F. SWEAT

Clark College

Eva B. Dykes has completed over 20 years at Oakwood College in darkest Alabama. She received the A.B., A.M., Ph.D., and Phi Beta Kappa at Radcliffe College (the same as Harvard). Hers was the first colored Ph.D. in English and she is the most distinguished colored graduate of Radcliffe. Dr. Dykes served several years as professor of English at Howard University and is an accomplished musician, author, and great teacher. She has earned high rank among the Yankee pioneers who laid the foundations of colored education in the South since the Civil War.

Ralph McGill of the Atlanta, Ga. *Constitution* has long been one of America's greatest editors. His masterly knowledge of southern history, mores, and traditions has enabled him profoundly as a catalyst and social engineer as well as statesman to write about the American South *en deshabille!*

Martin Kilson, an alumnus of Lincoln (Pa.) with the A.M. and Ph.D. from Harvard, is now a lecturer there in Government and at the Center for International Affairs. He published a paper in *The Christian Science Monitor* for April 18, 1966 on Nkrumah's one-man rule, its corruption, and ruthless treatment of any opposition.

Ex-Premier Moise Tshombe of the Congo has been expelled from the National Assembly of the Congolese Parliament by a vote of 90-3. He has been in Europe since last December and is well known as the tool of former Belgian interests. President Mobutu has accused Tshombe of betraying Congo interests while abroad which he long did at home.

President L. B. Johnson has nominated Eliot P. Skinner as Ambassador to Upper Volta, Africa. He is an able scholar and anthropologist as well as professor at Columbia University. Dr. Skinner is fluent in French, Spanish, and several African languages which eminently fit him for his duties and responsibilities in the foreign service. He is unique among those appointed to serve in Africa because of linguistic equipment.

Kenneth Clark, a recognized authority, has recommended that the gap in colored education can be met by emphasizing "quality education" in the predominantly colored schools. He further logically argues that we have gone nearly as far as possible legally and the way out now is to raise the standards of the colored schools so that whites will not object to attending them.

Eugene Carson Blake, General Secretary of the World Council of Churches, has said the N.A.A.C.P. is one of the most important instruments for good in our society today. He also insists that the church is behind in its role for justice because of its arrogance when

it should be teaching people the reasons for doing right!

A. Phillip Randolph has retired at 77 as head of the American Labor Council. He plans to relinquish his other connections and write his memoirs. Randolph has long been a constructive labor statesman and leader who was chosen by the people whom he served instead of imposed by outside authorities as so many so-called colored leaders have been now for a century.

The N.A.A.C.P.'s Legal Defense and Educational Fund has launched under Jack Greenberg a study of capital punishment in 11 southern states for the crime of rape. Cooperating with him are 28 white law students who will explore 225 counties in the two-year investigation. The information which will be gathered will also serve in 18 capital punishment cases now under investigation.

The Atlanta Georgia Life Insurance Company is planning a new Home Office Building as a part of its progressive program. President N. B. Herndon reports that the company has in force $2,591,-235 in policies. It has helped to finance the Atlanta Airport and the recent $18,000,000 Municipal Stadium there. The company has also many millions in mortgages on colored homes.

St. Paul's College, Lawrenceville, Va. has received a grant of $200,000 from a New York-based foundation whose name was withheld. The 78-year-old college has an enrollment of about 500 students and plans to expand in 2 years this number to 700.

Oswald P. Brownson has been elected vice president of the Interdenominational Theological Center of Atlantic University. He had previously been director of field services and chairman of the Department of Christian Education. The institution is an outgrowth of the famous Gammon theological Seminary and three other mergers in the training of ministers.

It is reported that James Nabrit will return to the presidency of Howard Universty this fall after serving as deputy Ambassador under Ambassador Goldberg at the United Nations. He is best known for his association with Thurgood Marshall and others in civil rights cases which have been successful in the United States Supreme Court. His deepest interest now is Howard University which he previously served as professor of law and secretary many years.

The United Negro College Fund has received a grant of $2,600,-000 from the United States Steel Corporation. Thirty-three predominantly colored colleges in the South will be beneficiaries of this award which is urgently needed. These institutions still afford the last best hope for thousands of colored students who would otherwise be largely without opportunities for higher education.

Isaac H. Miller, a biochemist trained at the University of Wis-

consin, is the new president of Bennett College. He will continue the great work of David and Susie Jones who reorganized and built the "New Bennett 1926-1956" and developed it into a good small liberal arts college with standards. Dr. Miller has taught at Meharry Medical College and is a native of North Carolina.

Thurgood Marshall was the chief speaker at the banquet closing the White House Civil Rights Conference June 2, 1966. President L. B. Johnson graciously introduced the speaker citing his distinguished record as a member of the U.S. Second District Circuit Court of Appeals and U.S. Attorney General. The conference was wisely directed by veteran and responsible civil rights leaders who made another milestone of progress.

Stephen J. Wright has resigned as president of Fisk University after serving over 8 years to accept the presidency of the United Negro College Fund. He made a contribution in erecting several buildings, renovating the "renowned Jubilee Hall", and raising salaries. Like his predecessor, Wright also could not represent the "Fisk Spirit" because neither was a part of it! This has flowered in three distinguished historians, DuBois, Wesley, and Franklin to say nothing of numerous notable men and women. It is hoped that the next president will be an *alumnus* because he *alone* can continue the "glorious and noble Fisk University tradition"!

Henry Rutherford Butler Public School of Atlanta, Ga. was named June 25, 1966 as Georgia's Pacemaker in educational improvement in a nationwide school recognition project. Frederick D. Browne is principal and a citation was awarded at a luncheon June 30, 1966 given in Miami, Fla. during the 104th annual convention of the National Education Association. Principal Browne was president of the Georgia Teachers and Education Association 1965-1966 and he has attained stature as an educational leader.

George A. Clark of Lafayette College has spent 6 months directing a study of segregation in relation to biological inferiority of races and the values attaching to it. It is not well known that segregation is the successor to American slavery and segregation is today worshipped as a religion that is taught from the cradle to the grave by many in adulation of white supremacy!

President James A. Perkins of Cornell University has been elected chairman of the new board of trustees of the United Negro College Fund. The Board of Trustees decided to reorganize the Fund's policy-making structure to meet the urgent needs of the member colleges some of which could not continue without the grants-in-aid which come annually to meet varied expenses which are greater than they have been in a century of struggle.

William M. Brewer and Benjamin Quarles lectured in the "Institute for the Advanced Study of History" at the University of North Carolina, Greensboro in July 1966. The institute consisted of "specially selected students" from the Southeast regions of the United State. There were five distinguished historians on the institute faculty with four lecturers.

Lorenzo D. Turner, who founded the first department of African Studies in an American college at Roosevelt University, is retiring there after 21 years. Four lectures by distinguished scholars were given in his honor during April and May 1966. Dr. Turner is an international authority on African and Afro-American Linguistics. His many books and papers are based upon extensive travels and long residence in Africa and other foreign countries where his researches preceded writings.

It is not well known that Dr. George E. Haynes was probably the most ardent and influential supporting pioneer of Dr. Carter G. Woodson. The creative and seminal ideas which originated the *Journal of Negro History* and *Association for the Study of Negro Life and History*, however, were Woodson's *alone!* His genius, character, integrity, and historical vision remain unique.

Samuel DuBois Cook, professor of political science at Atlanta University, will be visiting professor at Duke University, Durham, N. C. the first semester of 1966-1967. This is the first time of record that a distinguished colored scholar has been thus honored in a great southern institution. Dr. Cook is a member of the Editorial Board of the *Journal of Negro History* and an able contributor to the same.

The Annual Meeting of the Association for the Study of Negro Life and History will be held in Baltimore, Md. under the auspices of Morgan State College Oct. 21-23, 1966 for the first time in 43 years. Roland C. McConnell is chairman of the committee on arrangements.

James A. Rogers died in March 1966 at 85 after a career as a writer and publisher of several books and many papers about colored people. He was a West Indian that became *Americanized* (very few ever do) and spent his life writing and publishing although he was not a trained historian. Some of his work, however, was acclaimed solid by historians and a contribution in the fields of Negro history which was his ardent interest.

William E. Hocking, professor emeritus of philosophy at Harvard and a disciple of Royce, whom he succeeded, passed away at 92 in June 1966. He taught a generation of students at Harvard (after beginning at Yale) including Alain L. Locke, first colored Rhodes Scholar, who wrote his doctoral dissertation on the "Theory of Values" there under Hocking. He was a great teacher of philos-

ophy who made the study of this abstruse subject a pleasure and attracted numerous students in America and from abroad in his times.

Georgia Douglas Johnson died in May 1966 approaching 90 after a life devoted to her family and writing. She was a close friend of Carter G. Woodson and W. E. B. DuBois and the center of a circle in Washington, D.C. for a half-century that loved literature and writing. She was the widow of the late Henry Lincoln Johnson and both were from Georgia where they were trained at Atlanta University in the 1890's. He went to Michigan for law and became a prominent Republican official and office holder in Wasghington, D.C. Mrs. Johnson's last poem reflects her rare and beautiful spirit:

1965—1966

TRIUNE

Life, love and death
My all!
The circuit of my sum:
The first, prerequisite,
The last, too sure—
With love
The fulcrum measuring
My meed of human joy!

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AFRICAN SURVIVALS IN AMERICAN CULTURE

African survivals in American culture have diminished markedly over the past one hundred years, but some are still existent and are interwoven into the cultural pattern of American and the Western Hemisphere itself. These are reflected in the words we speak, the songs we sing, the dances we perform, the instruments we play, the stories we relate, and the foods we consume.

The most recent work on Negro speech in the United States is that of Dr. Lorenzo Dow Turner, professor of English at Roosevelt University, Chicago. His search uncovered astonishing survivals of African culture and more than 4,000 African words, names and numbers still spoken among Negroes on the Georgia-South Carolina offshore islands, known to anthropologists as the Gullah region. Many of these words are employed by Negroes and whites throughout the United States.[1]

They lay bare the probable explanation of some of the oldest and newest Americanisms, from "tote" to "juke box." They reveal the identity, civilization and relative influence of the people from which most of America's 20,000,000 Negroes descend.

The word *tote,* meaning carry, has been found in print within seventy years after the first settlement at Jamestown, Virginia. It has no known English origin.

A frequently used word among southern Negroes is *pinder* for peanut (called *guba* and *pinda* in Gullah from identical words used by tribes in Angola). Also, the word *tater* for potato has been found in several West African languages.

[1] Lorenzo D. Turner, Africanisms in the Gullah Dialect (the University of Chicago Press, 1949).

The list covers many animals like *cooter* for tortoise (*kuta* in Gullah from two French West African tongues); *biddy* for chick (it means a bird in Congolese); and *jigger* (bug known as *jiga* in six African tongues.)

The name *yam* as applied to the sweet potato may be a corruption of the African word *nyam* that was brought to this country by the Negroes. *Nyam* was the word the Negroes used for true yam or other large edible roots or tubers found in Africa. Later, it was incorrectly applied to large American sweet potatoes.

Our latest *juke boxes* come from the word "juke," a Senegalese term implying a wild time.

African names, too, have survived among Negroes. Two common ones are *Bobo* and *Anyike.* Professor Turner has connected 2,000 names in the United States with African languages.

Other scholars of African languages, including Serjeantson, corroborate the findings of Professor Turner. *Voodoo,* first found in 1880, is probably from Dahomey "vodu." *Gumbo* (Angolan ki-nyombo) appears first in America (1859). The word *gorilla* is alleged to be an African word. This was adopted as the specific name of the ape ("Trogladytes gorilla") by Savage in 1847 (*Journal of the Boston Natural History Society*); it is found as an English word first in 1853. *Banana* comes to us through Spanish from the native name in Guinea in 1597; *okra* 1707, through the West Indies; it appears first in Slaone's Jamica; *chimpanzee* 1738: "A most surprising creature is brought over in the Speaker, just arrived from Carolina, that was taken in a wood at Guinea. She is the female creature which the Angolans call Chimpanzee;" *cola, kola,* the seed, used for chewing, etc., from a West African tree; *zebra* 1600 from the Congo dialect."[2]

Other African words interwoven in the American English linguistic fabric are: *buckra, pickaninny, jazz, elephant, ebony, turnip, parsnip, oasis, canopic,* and *sorcery.*[3]

Negro spirituals are traceable to Africa. H. E. Krehbiel, the nineteenth-century pioneer authority on the Afro-

[2] Mary S. Serjeantson, *A History of Foreign Words in English* (New York, 1962), pp. 246-49.

[3] Mary S. Serjeantson, *A History of Foreign Words in English* (New York, 1962), pp. 246-49.

American folksongs, after analyzing 527 Negro spirituals, found their identical prototypes in African music, concluding that the essential "intervallic rhythmical and structural elements" of these songs came from the ancestral homelands.[4]

These vestiges of African music rose to a higher harmonic development when there was blown through or fused into them the spirit of Christianity as the Negro slaves knew Christianity. At the psychic moment there was at hand the precise religion for the adverse conditions in which they found themselves thrust. This religion implied the hope that in the next world there would be a reversal of conditions. All men—slave and free, black and white, rich and poor, high and low—would be equal. The result was a body of song voicing all the cardinal virtues of Christianity—patience, forbearance, love, faith, and hope—through a necessarily modified form of primitive African music. The Negro took complete refuge in Christianity and the spirituals were literally forged of sorrow in the heat of religious fervor. They brought hope and comfort to a burdened people.[5]

The contribution of the transplanted African to musical expression in America was summed up by Walter Damrosch in a speech at Hampton Institute in 1912: "Unique and inimitable, Negro music is the only music of this country, except that of the American Indians, which can claim to be folk music." It is the finest distinctive artistic contribution America has offered the world.

Jazz, too, has its roots in Africa. Negro slaves from Africa brought the roots of such and planted them in the soil of slavery. The word "jazz" in an African dialect means "hurry up." That is just about the tempo of jazz. The culture patterns that produced jazz are the result of the Afro-American's accommodation to a sociocultural setting established and controlled by Euro-Americans. Afro-American music is characterized by tonal and rhythmic elements of African origin transformed by disciplines of Euro-American music.[6]

[4] Benjamin Quarles, *The Negro in the Making of America* (New York, 1964), p. 30.

[5] Dorothy L. Conley, "Origin of the Negro Spirituals," *The Negro History Bulletin* (May, 1962), p. 179.

[6] Harold McKinney, "Negro Music," *The Negro History Bulletin*, XXVII, No. 5, Feb. 1964.

Leonard Feather, one of the most important jazz scholars and critics, explaining Afro-American orientation of jazz said:

"Jazz was the product of a specific social environment in which a group of people, the American Negroes, largely shut off from the white world, developed cultural patterns of their own."[7]

M. E. Hall, Music Department Chairman at Michigan State University, presenting the case for academic jazz in America wrote:

"Popular music at all levels, movie background music, television background music, musical comedy, all are growths of the jazz idiom. Europeans consider jazz to be our one important contribution to the culture of the world."[8]

The noted French music critic Andre Hodier wrote:

"What contemporary observer would have guessed that the folk music of a small group would become the language of an entire people fifteen or twenty years later and in a few more years, a world-wide phenomenon, with jazz bands existing simultaneously in Melbourne, Tokyo, and Stockholm."[9]

The African group said to have contributed most to the basic nature of jazz was the Dahomeans of West Africa. Their musical traditions merged with those of the French and became the leading influence when the "roots" of jazz were still forming in the West Indies. The Dahomeans later became a powerful cultural force in New Orleans. The Creoles, a group of French Negroes, settled in Louisiana and were wealthy and as well educated as Europeans. They became an intellectual force in jazz development. Stripped of their property and rights as American citizens, they were forced into the Negro community. Many well trained Creole musicians found it impossible to work as concert musicians and had to earn money by either teaching or playing "race" music. The techniques they developed as musicians were used to develop the music now called jazz.[10]

The livliest and most rhythmic dances of the New World

[7] *Ibid.*, p. 120.
[8] *Ibid.*, p. 120.
[9] *Ibid.*, p. 120.
[10] *Ibid.*, p. 126.

are of African origin. African ritual dance patterns, when brought to the New World, interacted with the secular dances from Europe with notable results. In Latin America among the combinations springing from this fusion of African and European dance forms were the beguine, the rhumba, the conga, and the habanera. The first of these originated in Martinique; the last three are Afro-Spanish. The rhumba was first performed among Cuban Negroes as a rural dance depicting simple farm chores. The conga and the newer mambo originated among the Congo Negroes of Cuba. The music of the habanera, which takes its name from Cuba's leading city, has an African rhythmic foundation that soon came to dominate the dance melodies of Latin America, as it does today; from it came the tango (after an African word "rangana") of Areentina. The national dance of Brazil, the samba, is derived directly from the wedding dance of Angola, the quizomba. The significant role of Africanisms in the dance of the Hispanic countries has been richly documented in the monumental studies of the contemporary Cuban scholar, Fernando Ortiz.[11]

The research of Professor Turner also shows that such United States dances as have the Charleston and Black Bottom originated in Africa. So also did calypso singing and musical instruments like the drums, zylophone, marimba, and gourd.

Another African survival is the folk story. Wherever the Negro has gone, tales have gone too, and with only minor alterations in plot. Negroes from the bulge of Africa brought with them legends, myths, proverbs, and the remembered outlines of animal stories that for centuries had been current at their native hearths. The best known of the adaptations of this folklore from the Dark Continent are the Uncle Remus tales, the African ancestor of Br'er Rabbit being Shulo the Hare. The very titles, such as Br'er Wolf and Sis' Nanny Goat, were carried across the Atlantic.[12]

Anthropologists attest that many of our most popular plants have their roots in Africa. Black-eyed peas traveled from Africa to North America in the holds of slave ships as

[11] Quarles, *op. cit.*, p. 31.
[12] *Ibid.*, p. 31.

food for the pitiful cargo. Africa's greatest contribution to the joy of eating is watermelon. Cultivated thousands of years ago in the Valley of the Nile, it is still found wild in the interior of Africa where it originated. Sometimes in dry periods it forms the only water supply.[13]

In the conquest of Mexico, Cortez was accompanied by a Negro, who finding in his rations of rice some grains of wheat, planted them as an experiment and thus made himself the pioneer in wheat raising in the Western Hemisphere.[14]

It is the consensus of geobotanists that coffee, America's most popular nonalcoholic beverage, has as its birthplace Africa. Our word "coffee' is derived from Kaffa, Ethiopia, its place of origin. Originally coffee was eaten, not drunk. Wandering Ethiopian tribesmen ate wild coffee berries from the trees, or mixed them with fat. The practice continues in many African villages. Ugandans make a savory drink from coffee and bananas. Coffee is today one of Ethiopia's chief exports.[15]

Okra apparently originated in what the geobotanists call the Abyssinian center or origin of cultivated plants, an area that includes present-day Ethiopia, the mountainous or plateau portion of Eritrea, and the eastern, higher part of Sudan. Africans brought ther favorite *okura* (okra) to Louisiana. Soon they were teaching the settlers how to make African stew, *kingombo* (gumbo) thickened with okra. Gumbo is to this day a favorite of Americans throughout the United States. When pecans were discovered growing wild in Louisiana, the African cooks creatively turned them into delicious pecan pies and pralines. Pralines were named for the French Duc de Plessis-Praslin who invented a similar confection in France made of sugared almonds. The use of *kola* as a drink originated with the Africans. Today, the extract of kola nuts is the basic ingredient of popular carbonated "cola" drinks throughout the United States and the world.[16]

[13] Victor Boswell "Our Vegetable Travelers," *The National Geographic Magazine*, Vol. XCVI, No. 2 (August, 1949), pp. 193-211.

[14] Carter G. Woodson, "The Negro a Factor in the History of the World," (Washington, 1940), p. 5.

[15] *The Ethiopian Herald* (No. 48, Vol. 1, 1959), p. 1.

[16] Ruth Fox, *Food Wonders of the World* (Battle Creek, 1964), p. 28.

The late Professor Carter G. Woodson, one of the world's most eminent authorities on Negro culture and history, stated in a letter to the author (November 18, 1947): "All around me I can see Africa in almost every Negro whom I meet, and I do not refer to color. It is true that law and custom cause the Negro to be assimilated gradually to the standard of the Caucasian with whom he comes in contact. But the "Caucasianization" of the Negro is not yet complete in the United States and very far from being so in Cuba and Brazil."

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THE NEGRO AND THE NEW ENGLAND CONSCIENCE IN THE DAYS OF JOHN BOYLE O'REILLY

A nation caught up in a great social revolution and in mass resistance to segregation is too easily forgetful of less effective Negro protests against discrimination and oppression in the past. Slave revolts, Reconstruction politics, educational struggles, underground railroads, cultural alienation, and battles for freedom and justice are an important part of the story of the Negro in America. The irresistible tide of events from Montgomery and Little Rock to Selma and Watts seems to be rolling in and washing away the foundations of the fortresses of racism. The air of freedom is exhilarating and a nation begins to rejoice in the dawn of a new day, but the sacrifice and heroism of the moment must not allow us, black and white alike, to forget the torchbearers of the night who helped light the way from slavery to freedom. Many of these pioneers and martyrs touched the life of John Boyle O'Reilly—poet, author, lecturer, athlete, public citizen and editor of the Boston *Pilot*. His was a chapter in the life of the nation and of New England, the seedbed of abolitionism and humanitarian reform. Both the Boston Brahmin and the immigrant came to know him as a valiant-hearted and ardent champion of the spirit of equality, and many in the Negro community came to look upon him with respect, affection and even love.

Boston's Negroes emerged from the Civil War with privileges seldom accorded in other cities as intermarriage laws were repealed, schools were opened to them, and discrimination in public places was forbidden by law.[1] Their cause long championed by Brahmins like William Ellery Channing, Charles Sumner, and Wendell Phillips, Negroes could now look to the Civil Rights Bill before Congress and to the more sympathetic interest of Patrick Donahoe's *Pilot*. Pre-war antagonisms between the Irish and the Negro seemed to be dissipating. Once the object of the Abolitionists' wrath, the Church had acquired a new halo:

> Garrison and Phillips are at unity with Rev. Professors and D.D.'s, and the American church, instead of being the bulwark of American slavery, is now proclaimed as the champion of

[1] Oscar Handlin, *Boston's Immigrants* (Cambridge, 1959 ed.), 179.

> universal freedom, and the saviour of the country. What new phases the next ten years may show in those who are blown about by every wind of doctrine, are yet hidden from human sight.[2]

The mood was transient as the Catholic press attacked the Civil Rights Bill and Radical Republicanism, but in 1870 a young, fiery idealistic Irishman, a refugee from an Australian prison camp, arrived on the Boston scene, assumed a reportorial and then an editorial role on the diocesan paper, and soon reawakened the Boston community to the Negro's plight. An ardent Irish nationalist and Roman Catholic, John Boyle O'Reilly came to champion the underprivileged and the weak —the working man, the orphan, the female house servant, the new immigrant, the Indian, the Jew, and the Negro. During the years of Reconstruction the *Pilot* pondered the emancipation of the Negro, only gradually altering its traditional doubts. The political chaos of Louisiana, where a Negro was serving as acting Governor in 1873, raised the question of the Negro's fitness for the franchise so soon after Lincoln's proclamation. Nonetheless, the editor opined:

> The destiny of the colored American is one of the big problems to be worked out in the life of this Republic . . . this man's children and grandchildren are coming, and they are receiving the same education in the same schools as the white man's children. In all things material before God and man, they will feel that they are the white man's equal. They are growing above the prejudice, *even before the prejudice dies;* and herein is the opening of the problem. . . .[3]

General G. T. Beauregard's committee was even encouraging equal representation and treatment in banks, insurance offices, public corporations, railroad trains, steamboats, and public conveyances. Civil and political equality were mandatory, even though there was no issue of "social equality." The colored American was warm of heart, cheerful, kindly, faithful, docile, and physically strong. When a new Civil Rights Bill was debated in 1874, the *Pilot* wavered between criticism of Southern adamancy on separate schools and contention that the forced mixing of races would only do harm. Following riots in Louisiana O'Reilly's spirit sagged; enfranchise-

[2] Boston, *Pilot,* March 24, 1866.

[3] James Jeffrey Roche, *Life of John Boyle O'Reilly* (New York, 1891), 142-143.

ment had been a mistake and perhaps two generations must pass "before citizenship in the South is a thing to be desired." Sympathy for the harassed of both races in the South turned to anger against carpetbaggers and Reconstructionists: "God help the South under such a combination! Wrong after wrong has been done to her since the war. . . ."[4] The brutal beating of a naked Negro girl was an outrage, but so too was a Vicksburg slaughter incited by a Negro sheriff's posse.

John Boyle O'Reilly was learning of the complexities of racial relations in the United States. As late as 1879 he approved the decision of the U.S. Circuit Court in Virginia, convicting a white man for cohabiting with a Negro woman (though lawfully married in Washington, D.C.) as a transgression of Virginia law. Intermarriage was wrong for both races and their union should be forbidden. The editor continued to publish the protests of the Southerner who maintained that Negroes were better off than the working classes of England or the Chinese and Indians in the North. He even defended the *Pilot's* pre-war antipathy to the abolitionists when the *Christian Register* baited the paper on its early history. Col. A. K. McClure's letter to the Philadelphia *Times,* maintaining that Negro suffrage was a part of the agrarian and communist appeal, was duly printed.[5] But the tide was shifting in the late seventies as the Irish editor addressed himself more and more to racial injustices.

The plaintive voice of G. T. Downing cried out, "The dark, and ever darkening future still encircling race, in this boasted land of freedom, makes me sometimes despair of the cause of humanity. . . . Is social menialage and political serfdom, enforced by law, with caste in education, and caste in the worship of God, and our very flesh cast out as unclean, and denied the sweet charity of Christian burial, to be the end of anti-slavery conflict in America?" Frederick Douglass' speeches posed the possibility of Negro abandonment of both political parties. A colored convention in Richmond attacked the loss of voting rights for petty larcenies like chicken stealing. Ku Klux Klan beatings and outrages in Indiana were exposed. As an Irish Democrat, O'Reilly took delight in

[4] Boston *Pilot,* October 24, 1874.

[5] *Ibid.,* March 6, 1875; June 16, 1877; May 24, 1879; January 29, 1881.

the impassioned speech of Senator Bruce, a Negro Republican from Mississippi, who startled the Northern Radical Republicans by exposing the Grant administration's failure to protect the Negro in the South. The plight of thousands of Mississippi and Louisiana freedmen emigrating to Kansas because of overproduction and lower cotton prices, many "shivering and starving" and destined to die, touched the former refugee. In his novel *Moondyne* (1879) the romantic Irishman pictured the erect stature of the aged aborigine Te-mana-roa: "Graver than the sedateness of civilization was the dignified bearing of this powerful and famous barbarian."[6]

The passing years saw John Boyle O'Reilly's concern for the Negro grow into friendship with many leaders of the colored race and with their white defenders. Frederick Douglass, whose fame had spread throughout the world, denied in the *Pilot* the contention that mulattoes were intellectually superior to the black man. O'Reilly agreed with Douglass' emphasis on the need of the Negro to achieve on his own—to build boats, construct railroads, and acquire wealth. The death of the uncompromising agitator, William Lloyd Garrison, meant that "the grand principle of Freedom has lost one of its greatest and most fearless champions." Boston's Robert Morris died in 1882 and was commemorated at the Supreme Judicial Court. A member of the bar since the 1840's, the first of his race in the legal profession, his amiable humor and his abilities had placed him near Douglass as the outstanding colored man of his time. As the long-time friend of Wendell Phillips, a great champion of both the Irish and the Negro, the poetic O'Reilly penned:

> Come workers, here was a teacher, and the lesson he taught was good; there are no classes or races. but one human brotherhood.[7]

Dr. William Wells Brown had worked on the steamboats of the Mississippi and Lake Erie and had served in the St. Louis *Times* office of Elijah Lovejoy. Having escaped to freedom in 1834, he settled in Buffalo to help fugitives fleeing to Canada. A lecturer for the Anti-slavery Society in the 1840's, he also was a delegate to the peace convention in Paris. Abroad he

[6] John Boyle O'Reilly, *Moondyne* (Boston, 1879), p. 31.

[7] Roche, *O'Reilly*, p. 451.

had received the enthusiastic welcome of the people of Dublin and London and the friendship of notables like Victor Hugo and Richard Cobden. Once slavery was abolished, Brown had turned to the temperance cause and the need of night schools for the new freedmen. The author of a number of works including *The Black Man* and *The Negro in Rebellion,* Dr. Brown had spent the last three decades of his memorable career as a leader of the colored population of Boston.[8]

Harriet Beecher Stowe had weathered the storm over *Uncle Tom's Cabin* and become a national heroine. In 1888, as she lay at death's door, the deeply moved editor considered her a dragonslayer and the outstanding woman of her time in moving the hearts of mankind: "God's blessing will shine on her death bed for the work she performed for the slave."[9] In the election of 1888 John Boyle O'Rielly linked arms with Thomas Wentworth Higginson in the latter's candidacy for the Fifth District's seat in Congress. Higginson was a Brahmin, but he was also a friend, a Democrat, a comrade of the venerated John Brown, and a champion of the Irish, the Indian, and the Negro. The death of Calvin Fairbanks brought forth a eulogy. An abolitionist and link in the Underground Railway in the ante-bellum South, he had served long prison terms and reputedly received 3500 stripes during seventeen years in a Frankfort, Kentucky, penitentiary. A friend who had asked President Lincoln to remember the prisoner, Lt. Governor Jacobs, was told by the Emancipator to set Fairbanks free in 1864 (at a time when Lincoln had called the Governor to Washington). Fairbanks, thought O'Reilly, should be counted with Garrison, Phillips, Whittier and the Catholic Joubert among the white champions of the colored race.[10]

Such stories were grist for the interracial mill. A career-long defender of the working man, O'Reilly publicized the stand of Terence V. Powderly, head of the Knights of Labor, who had selected a Negro to introduce him at a convention in Richmond. Unaware that the assembly hall was closed to the colored people, Powderly spoke boldly: "In the field of labor and American citizenship we recognize no line of race, creed,

[8] Boston *Transcript,* November 8, 1884.
[9] Boston *Pilot,* September 15, 1888.
[10] *Ibid.,* December 1, 1888.

politics or color.''[11] A young priest in a town near Baltimore some years past had cared for an elderly Negro during a small pox epidemic, had procured a coffin, dragged it to the grave, performed the last rites, and buried the body—since no others would perform the duties. The story, reprinted from the New York *Sun,* was of O'Reilly's friend, later the Archbishop of Baltimore, James Cardinal Gibbons.[12]

The editor gave much space to men of color like George Ruffin, the Boston leader and distinguished judge, and Lewis Hayden, born a slave in a Kentucky cabin, a fugitive to Boston by way of the Underground Railway which he helped develop, and a long-time friend of Garrison, Phillips, Charles Sumner, Samuel Gridley Howe, James G. Palfrey, and other leading citizens. O'Reilly knew Hayden as a wise, gentle, courageous, magnanimous man, passionate but without resentment—a great citizen of Boston.[13]

One theme repeated by the ebullient son of Eire is the mutual struggle for freedom by the Irish and the Negro, the one against the oppressions by the British, the other against those by the Americans. Wendell Phillips, an early convert to the cause of Ireland, was welcomed into the fold as he took to the public platform in eulogy of Daniel O'Connell. The great liberator had declared, ''God forbid that I should ever receive for the cause of Ireland one shilling wrung from negro slavery!'' Two Irishmen, Richard Davis Webb and James Houghton, were applauded by Garrison for their work in the cause of freedom. Can Negroes be indifferent to the plight of the Irish, asked G. T. Downing? Thirty thousand of the Emerald Isle had signed a petition to the American Irish to be co-workers with Garrison, Douglass, Brown and others. O'Connell had refused the hand of the slaveholder and always welcomed American Negroes in Ireland. The Irish in this country, sad to relate, said Downing, had been taught that Negro labor was a deadly rival to white labor and had been ''our murderous and unrelenting enemy,'' but by 1875 colored

[11] T. V. Powderly to Richmond *Press,* quoted in Boston *Pilot,* October 23, 1886.

[12] New York *Sun,* cited in Boston *Pilot,* June 16, 1888.

[13] Boston *Pilot,* April 13, 1889. Ruffin was the first colored judge in Massachusetts. Elizabeth Hurley et al. *Fifty Years of Boston* (Boston, 1932), p. 717.

societies in Baltimore planned to take part in the St. Patrick's Day celebration.[14]

In the mid 1880's there were many signs of improvement. In Wilmington, Delaware a colored Methodist minister offered his services to the Parliamentary Fund; Frederick Douglass claimed that the early antipathy of the Irish had not caused him to despair and that, always a defender of Home Rule, he had so declared in Conciliation Hall in Dublin. Robert Morris had mostly Irish clients in Boston. When the colored men of Boston paid $125 into the Parliamentary Fund, the *Pilot* responded: "We hail with pleasure the growing reciprocity between Irish-Americans and colored Americans." At a protest meeting of colored people at the Twelfth Baptist Church a recent massacre impelled Edwin G. Walker to mention the Irish example in casting fear into every home in London: "If it is necessary that the colored people resort to the mode of modern warfare which they adopted let us do it. We can but lose our lives." Resolutions condemned the Mississippi authorities and demanded national legislation. Lewis Hayden rose to declare: "After 700 years the Irish people secured a recognition of their rights by one little secret—dynamite."[15]

The year 1886 was to be a year of public preoccupation with explosives, the Haymarket riot in Chicago frightening the public over the anarchists' publicizing of the utility of dynamite in the war against capitalism. O'Reilly, just arrived from a Faneuil Hall meeting supporting Home Rule, had asked the Hon. John E. Fitzgerald to contribute a piece to the *Pilot* on "If Gladstone fails—then what?" The grandfather of our future President was advised by the editor to confine the theme to "Revolution and Dynamite"—words which met with tumultuous applause. "The colored people of this country," O'Reilly declared, "are strong enough to make the whole republic quiver when a black man is mistreated." One or two generations of social conflict might lie ahead, but Negroes "must draw their race-lines tight; inculcate respect for

[15] *Ibid.*, April 24, 1886.

[14] *Ibid.*, May 5, 1877; George T. Downing to *New York Freeman*, quoted in *ibid.*, January 23, 1886.

their own ideas and people. . . . The colored man must be proud to be a colored man, or he will never be a force.''[16]

Irish nationalism was always tempered by O'Reilly's loyalty and devotion to American democracy and by the cosmopolitan nature of the American Catholic Church. Envious of the vigorous proselytizing of Southern Negroes by Protestant missions, he encouraged the Church to take a more active role. The possibilities of conversions through the establishment of schools was readily perceived, and O'Reilly was proud that ''the Catholic cathedrals of America are as free to the Negro as to the Irishman.'' The Benedictines and Franciscans had opened their ranks to the colored; the Plenary Council of 1886 had shown its concern for the Negro; whites and colored marched together in a parade of Catholic societies in Baltimore.

Archbishop John Ireland of St. Paul was always both sword and shield. Preaching on ''Social Equality,'' he foresaw a future without discrimination in churches, colleges, businesses and hotels:

> The time is not distant when Americans and Christians will wonder that there ever was a race prejudice. . . . It is rank hypocrsy to ignore the ever-present fact of illegal unions, and affect horror at the idea of honest intermarriage. As to social intercourse or intermarriage between the races, it is not a question of right or wrong. It is purely a question of taste. The Catholic Church recognizes no race lines. It is difficult, therefore, to see how a Catholic can come to any conclusion adverse to the social as well as the religious and political equality of the negro.[17]

John Boyle O'Reilly delighted in the rapproachement of Irishmen and Negroes which gave encouragement to Eire's struggle against England and his Church's public stand on race

[16] *Ibid.*

[17] *Ibid.*, April 19, 1890. Ireland wrote and spoke forcefully on the issue of race relations, declaring to the Afro-American League in St. Paul: "What do I claim for the black men? That which I claim for the white men, neither more nor less. I would blot out the color line. . . . It is not possible to keep up a wall of separation between whites and blacks, and the attempt to do this is a declaration of a continuous war. . . . Let the Negro be our equal before the law. . . . I would open to the Negro all industrial and professional avenues." *The Catholic Review*, XXXIX (January 24, 1891), p. 60. "The curse of slavery which blighted our national history imposed upon us a kind of obligation to repair the past, and I warn those who continue to hold hatred . . . that the day of their repentance will come, and a bitter day for them it will be." Boston *Pilot*, July 19, 1890.

relations. "It was through his efforts," claimed councilman Charles E. Harris of Boston in 1890, "that the good feeling now existing between the Irish and colored citizens became possible."[18]

The last decade of O'Reilly's life was one of furious activity and involvement as he wrote volumes of poetry, made the lecture circuit, published books on athletics, canoed the major rivers of the East, and officiated at countless athletic contests of Irish-American clubs and Harvard, M.I.T. and Boston College. Ever a supporter of Harvard, he reported President Charles Eliot's indignation at the exclusion of two colored alumni from a Harvard dinner held in Washington, and O'Reilly jibed, "The snobs who were guilty of the affront do not represent the present spirit of the men of Harvard."[19] The *Pilot* reported such incidents as the curiosity of Philadelphia crowds watching Officer Charles Draper on his rounds when four colored policemen were added to the force; the formation of the Massachusetts Colored League at Faneuil Hall; the threat of New York policemen to resign if a Negro were appointed; the forced resignation of a police lieutenant charged with mixed blood in Columbus, Georgia; the tragedy of a Harvard class orator who would now cease to be a gentleman and be excluded from the clubs, hotels and churches, North and South; the careers of colored athletes like Frank Hart, George Dixon, and Peter Jackson; and incidents such as the speeches by Henry Grady of the *Atlanta Constitution* in Augusta, Georgia, and Boston in 1889, the true meaning of which was that the Negro must submit to subservience and degradation. When Grady took this position after having gained fame as a friend of the Negro, O'Reilly felt compelled to quote General William Tecumseh Sherman, who had cut a wide swath across the state of Georgia:

> The Negro must be allowed to vote, and his vote must be counted, otherwise, so sure as there is a God in Heaven, you will have another war, more cruel than the last, when the torch and dagger will take the place of muskets and well-ordered battalions. Should the Negro strike that blow, in seeming justice, there will be millions to assist them.[20]

[18] Boston *Pilot*, August 11, 1890.
[19] *Ibid.*, February 28, 1885.
[20] *Ibid.*, December 15, 1888.

Normally, John Boyle O'Reilly strove to see the advances made in the New South, usually took the positive approach to the accommodation of the races, and frequently counseled aganst the spirit of revolution. In this vein he answered Grady: "The colored citizen must fit himself for his new responsibilities; and this can be done in one generation. . . . The races shall vote and work and study and pray side by side." Boston Negroes were wrong in endorsing the Force Bill of 1890 (the notorious Republican "Bayonet Bill" as it sought military protection of the right to vote): "Woeful as are the wrongs of the colored people, they cannot be cured by law or force. They appeal to the conscience of the country. The subversion of American liberty by legalizing soldiers at the polls would be a high price to pay for enabling the Republicans to keep themselves in power, even by Negro votes. . . . Colored Americans must not win for a day by endangering hatred for a century."[21]

But the counselor was never long free of anger. The opening up of Dark Africa by Caucasians endangered that continent as it had America in the past. Remembering an Irish boycott of local business before the Civil War, a correspondent from Connecticut recommended hitting the pocketbook of whites who discriminated against the Negro working classes. A personal experience in the spring of 1885 made an indelible impression on O'Reilly, and from that time forward he was looked upon by the colored community as the successor of Wendell Phillips.

On a lecture tour in the South, he had been appalled at offensive signs and unsanitary facilities in the Nashville railroad station: "Mothers with little children sat on the unwashed floor." Two days in Nashville found every hour revealing "things that made me feel that something was the matter either with God or humanity in the South." Joining his Negro friends at a protest meeting at Faneuil Hall, he declared, "If ever the colored question comes up again as long as I live, I will be counted in with the black men." O'Reilly lauded the artistic eye of Negro women for the harmony of colors in their dress, and he claimed the Negro to be "The only graceful, musical, color-loving American. The songs with

which he charms American ears are refrains from the tropical forests, from the great inland seas and rivers of the dark continent." Urging upon his friends the need for Negro poets, musicians and artists, he boldly admitted, "I know if I were a colored man I should use parties as I would a club to break down prejudices against my people. . . . If my children were not allowed into Northern schools, if I myself were not allowed into Northern hotels, I would change my party and my politics every day until I changed and wiped out that outrage." The angry speaker thundered that

> so long as American citizens and their children are excluded from schools, theatres, hotels or common conveyances, there ought not to be and there is not among those who love justice and liberty, any question of race, or creed, or color; every heart that beats for humanity beats with the oppressed. The sympathy of the world is with you, and the time is not distant when you will tear down that infamous inscription from the Nashville depot.[22]

A friend recalled years later how the Boston editor had once been angered at a steamboat captain's refusal to allow a first-class Negro traveler a seat at his table, the captain claiming he would turn the hot water hose on the passenger if he intruded—and how O'Reilly deliberately went out of his way thereafter to converse with his fellow passenger. Now, the South had slashed his conscience. The *Herald,* the *Globe,* and the *Journal* praised this Faneuil Hall speech.[23] A monument to five heroes of the Boston Massacre (Crispus Attucks, Samuel Maverick. James Caldwell, Samuel Gray and Patrick Carr) was unveiled on Boston Common in 1888. The noted historian John Fiske delivered an oration, which was followed by John Boyle O'Reilly's poem, "Crispus Attucks." There was some question of Attucks' lineage, but Boston would now honor the proclaimed hero of the massacre that led eventually to the Tea Party, the British occupation of Boston, and the battle of Bunker Hill (in which Negroes were on the line of battle and Peter Salem may have killed Major Pitcairn of His Majesty's marines). Crowds turned out for the military display, and O'Reilly's poem caught the mood of the day:

[21] *Ibid.,* August 9, 1890.

[22] *Ibid.,* December 19, 1885.

[23] Boston *Herald,* Boston *Globe* and Boston *Journal,* cited in Boston *Pilot,* December 19, 1885.

Forever the fountain of common hopes and kindly sympathies;
Indian and Negro, Saxon and Celt, Teuton and Latin and Gaul,
Mere surface shadow and sunshine, while the sounding unifies all!
One love, one hope, one duty theirs! No matter the time or Ken
There never was separate heart-beat in all the races of men!
And so, must we come to the learning of Boston's lesson today;
The moral that Crispus Attucks taught in the old heroic way;
God made mankind to be one in blood, as one in spirit and thought;
And so great a boon, by a brave man's death, is never dearly bought! ![24]

Frederick Douglass, who had praised Massachusetts for its abolition leaders and for giving him a refuge from slavery, reminded Bostonians that colored sailors fought with Oliver Perry on Lake Erie; soldiers at Red Bank, New Jersey in the Revolution and at New Orleans under Andrew Jackson.[25] Negro pride, O'Reilly always contended, was the key to the future of the race, and "Crispus Attucks" reminded all Americans that "There never was separate heart-beat in all the races of men!"

Revival of white supremacy and the tightening of segregation of the late 'eighties led to deterioration of race relations and to riots, lynchings and mob rule in parts of the South. The Carrollton, Mississippi, massacre in 1886 led the colored lawyer Edwin G. Walker to deplore the system of organized murder: "We have a record of 8,000 men murdered, and no man has been punished."[26] Three years later the New York *Tribune* reported in a two-day period an assault on the Jessup, Georgia, jail, the battering in of the doors, and the fatal shooting of Peter Johnson and Bill Hopps as well as a lynching party at Barnwell, South Carolina. The Jessup riot frightened many colored people into flight to other towns along the East Tennessee, Virginia and Georgia Railroad; a

[24] Roche, *O'Reilly*, 414; John Boyle O'Reilly, *Selected Poems* (New York, 1913).

[25] *A Memorial of Crispus Attucks, Samuel Maverick, James Caldwell, Samuel Gray and Patrick Carr from the City of Boston* (Boston, 1889). Also see Boston *Post*, November 15, 1888.

[26] Boston *Journal*, quoted in Boston *Pilot*, April 24, 1886.

state of terror reigned; four blacks were reported dead in the swamps; and Negroes rioted in Clarksville, Tennessee. Eight Negroes jailed in Barnwell for suspicion of murder of two white men had not even been indicted when several hundred armed and masked marauders broke into the cells, hanged the suspects, and riddled their bodies with bullets.[27] The *Pilot* recorded the South Carolina Governor's denunciation of the act and his posting of a reward, but O'Reilly knew that "a community in which hundreds of men could be found to commit such a dastardly crime is not a community from which we may expect justice on the guilty ones." Colored women in Barnwell had been stripped and whipped for rejoicing in the victory of a group of colored men in a fight with whites. O'Reilly, who felt race prejudice stemmed largely from Southern illusions of Anglo-Saxon supremacy, was so deeply angered that a St. Louis Catholic paper accused him of preaching "a gospel of blood and strife." In reply he argued that

> unless the Southern blacks learn to defend their homes, women, and lives, by law first and by manly force in extremity, they will be exterminated like the Tasmanian and Australian blacks. . . . They are fighting for the existence of their race; . . .

Alabama had set a better example for the South, and the editor contended his paper was not incendiary:

> We have appealed only to the great Catholic and American principle of resisting wrong and outrage, of protecting life and home and the honor of families by all lawful means, even the extremest, when nothing else remains to be tried.

The South, however, in the guise of Senator Morgan of Alabama, offered only a bill for expatriation of all Negroes to Africa, where they might abolish the institution of slavery! The Senator could not truly represent his own state or "the great Southern people" in such a ludicrous proposal.

> The forcible expatriation of eight million American citizens to the deserts and swamps of Africa, is a scheme which could find lodgement only in the brain of a belated fossil.

South Carolina had just repealed the civil rights law permitting colored people to ride in common coaches and enter

[27] New York *Tribune*, December 27, 29, 1889; January 5, 1890.

public places like hotels and theaters, and a motion had just been made in the Mississippi legislature to repeal the Fifteenth Amendment guaranteeing the right to vote. The law and the courts were completely dominated by whites:

> In the face of these facts, the country is horrified, month after month and year after year. . . . Lynch law is the rule when the blacks are charged. . . . Shooting, hanging, and flogging of colored men go on till decency and humanity cry out in horror all over the country.

John Boyle O'Reilly defended the rights of states and his loyalty to the Democratic principles of Thomas Jefferson:

> But beyond all State right and statute law and social code and race prejudice is the right of a single man against outrage. At his cry for help Americans will leap over State lines and forget all minor boundaries.[28]

The nation was shocked a few months later on August 9, 1890, at the sudden death of John Boyle O'Reilly, just reaching the full maturity of his literary powers and public influence. Tributes poured into his bereaved wife and to the *Pilot,* and newspapers everywhere carried tributes. The New York *World* remembered "the sad song of the struggling was always in his heart." The Boston *Globe* called him "one of the most brilliant and remarkable citizens that Boston has possessed," and the Boston *Transcript* prophesied that "his ringing utterances in behalf of social and political freedom will be sung and quoted by generations yet to come." O'Reilly had known the great literary lights and political leaders of the post-Civil War era from Emerson and Whittier onwards, and condolences came in from Julia Ward Howe, Dr. Oliver Wendell Holmes, James Whitcomb Riley, E. C. Stedman, R. H. Stoddard, George P. Lathrop, and countless others.[29] Walt Whitman, his friend and admirer, praised him as "Willing, eager, anytime to live or die for justice."[30] And James Jeffrey Roche, taking over the editorship after years as O'Reilly's

[28] Boston *Pilot,* January 4, 18, 25, 1890.

[29] William G. Schofield, *Seek for a Hero. The Story of John Boyle O'Reilly* (New York, 1956), 267; Boston *Pilot,* August 16, 23, 30, September 27, 1890; New York *World,* August 12, 1890; Boston *Globe,* August 11, 1890; Boston *Transcript,* August 11, 1890.

[30] Horace Traubel, *With Walt Whitman in Camden,* 2v. (Boston, 1906-1908), II, 38.

assistant, proceeded to carry on the interracial policy of the *Pilot*.[31]

Negroes had lost their most ardent and vocal defender. The widow of Lewis Hayden wrote, "He was so true, so loved, so tried that the race could not help loving him." Wendell Phillips' death had been a blow to Edwin Walker, "but as long as Mr. O'Reilly lived and spoke, we felt that we had at least outside of our own people one true, vigilant, brave, and self-sacrificing friend, who like Mr. Phillips, claimed for us just what he claimed for himself." Edward Brown claimed millions of black people North and South, East and West, mourned for their Irish friend as they did for Lincoln. A generation stood witness to their protector's loyalty and love.[32] No other tribute would have meant more to the fallen hero than that of the colored journal, the Boston *Courant*:

> Heavily burdened with the woes and sufferings of his own kith and kin in his beloved native Ireland, yet his great soul opened and took in the miseries of black Americans who were undergoing treatment to that which was being accorded his own flesh and blood. The colored men and women of America owe him much. He has helped, as few Americans have, to create and mould a public opinion which is in favor of giving the men and women of the race those civil and social rights which are readily given to other Americans.
>
> John Boyle O'Reilly was one of God's noblemen. He illustrated most beautifully that grand principle, the Fatherhood of God and the brotherhood of man. Like that other apostle of liberty, Wendell Phillips, he was ready to die for freedom and the rights of man. The oppressed of all lands will miss him greatly, but colored Americans will feel his loss most keenly.
>
> Farewell, for a little while, defender of humanity and noblest of Christian men![33]

John Boyle O'Reilly was revolutionary only in his more romantic and impassioned moments, for he believed in the democratic process as the instrument of civilization. And there

[32] *A Memorial of John Boyle O'Reilly from the City of Boston* (Boston, 1890), 50 ff.

[33] Boston *Courant*, quoted in Boston *Pilot*, August 23, 1890.

[31] Arthur Mann, *Yankee Reformers in the Urban Age* (Cambridge, 1954), 27-51 analyzes and describes O'Reilly's and Roche's contributions to social reform. According to Mann, O'Reilly had the hope "that Negroes would one day intermarry with whites and thus be smelted down in the American tradition." *Ibid.*, 41.

could be no true civilization without the achievement of freedom and justice for men of all races. That he prematurely hoped for the cooperation of the Irish and Negro peoples in the struggle against prejudice does not diminish the role he played in perpetuating the idealism of earlier witnesses to the New England conscience.

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FREEDOM TO SERVE: THE PRESIDENT'S COMMITTEE ON EQUALITY OF TREATMENT AND OPPORTUNITY IN THE ARMED FORCES, 1949-1950

Segregation of Negroes from whites in the armed forces of the United States was the rule rather than the exception from the Revolutionary War through World War II.[1] After World War II major changes in policy were instituted, drastically reducing discrimination in the military establishment. Many factors were responsible for the dramatic policy alteration, not the least of which was the work of President Harry S. Truman's Committee on Equality of Treatment and Opportunity in the Armed Forces. This essay will elucidate the key role of that Committee in the desegregation of the armed forces of the United States.

Established by Executive Order 9981 in July, 1948, the Committee was authorized by the President to examine rules, procedures, and practices of the armed services to determine how these might be altered or improved to bring about equality of treatment and opportunity within the military.[2] Coming to be known as the Fahy Committee, after its chairman Charles H. Fahy,[3] the seven-man group met for the first time with President Truman on January 12, 1949, at which time the

[1] Paul C. Davis, "The Negro in the Armed Services," *Virginia Quarterly Review*, vol. 24 (Autumn, 1948), pp. 499-520; L. D. Reddick, "The Negro Policy of the American Army, 1775-1945,"*Journal of Negro History*, vol. 34 (January, 1949), pp. 9-29; Dennis D. Nelson, *The Integration of the Negro into the U. S. Navy* (New York, 1951).

[2] *United States Code Congressional Service*, 80 Cong., 2 Sess., Vol. 2, p. 2673. At this time President Truman professed to envision the end of all segregation in the armed forces. See Baltimore *Sun*, July 30, 1948; Washington *Post*, July 30, 1948; Louisville *Courier-Journal*, July 30, 1948; New York *Times*, July 30, 1948. Many suggestions have been made to explain Truman's actions and statements of 1948. Unquestionably he was influenced to some extent by the work of an earlier committee which he had appointed to investigate and report upon the civil rights picture in general. See "Report of Subcommittee no. 2 to the Committee of the Whole, concerning Discrimination against Minorities in Employment, Community Services, Education, Housing & the Armed Forces," p. 30, in Records of the President's Committee on Civil Rights, 1946-47, Harry S. Truman Library (Independence, Missouri), and *To Secure These Rights: The Report of the President's Committee on Civil Rights* (Washington, 1947), pp. 162-63.

[3] Fahy was a former Solicitor General and at the time of this appointment was a United States Court of Appeals judge in Washington, D. C. Other members of the Committee were: Alphonsus J. Donahue, President of the Donahue Sales Corporation; Lester Granger, Executive Director of the National Urban League;

President said of the Committee's assignment, "I want it done in such a way that it is not a publicity stunt. I want concrete results—that's what I'm after—not publicity on it."[4] The Committee took President Truman's comments literally, not only investigating conditions but also working quietly and diligently with the Army, Navy, and Air Force to bring about the desired changes. Between its first conference with the President and its concluding report, dated May 22, 1959,[5] the Fahy Committee held more than forty meetings, submitted six progress and interim reports and memoranda to the President, toured twenty-five military installations, listened to the testimony of sixty-seven witnesses, and conferered at length with the Secretary of Defense, the secretaries of the Army, Navy, and Air Force, and various assistant secretaries.

Secretary of Defense Louis Johnson cooperated fully with the Committee. Shortly after taking office, Johnson issued on April 6, 1949, a directive declaring that the policy of the national military establishment was equality of treatment and opportunity for all persons in the armed forces without regard to race, color, religion, or national origin, and instructing the three service secretaries to prepare plans for realizing this policy in practice.[6]

Air Force leaders had drawn up as early as November, 1948, a sweeping personnel policy to eliminate officially almost all segregation in the Air Force. Although not promulgated,

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Charles Luckman, President of the Lever Brothers Company; Dwight R. G. Palmer, President of the General Cable Corporation; John H. Sengstacke, publisher and Editor of the Chicago *Defender;* and William E. Stevenson, President of Oberlin College. Donahue died in July 1949 and Luckman did not actively participate in the work of the Committee, but the remaining members gave much time and attention to their responsibility, as the working papers of the Committee clearly attest. See Records of the President's Committee on Equality of Treatment and Opportunity in the Armed Forces, 1949-1950, Truman Library. Hereafter cited as Fahy Committee Files.

[4] Mimeographed transcript of "Meeting of the President and the Four Service Secretaries with the President's Committee on Equality of Treatment and Opportunity in the Armed Services," July 12, 1949, *ibid.*

[5] The final published report was entitled *Freedom to Serve: Equality of Treatment and Opportunity in the Armed Services; A Report by the President's Committee* (Washington, 1950), 82 pp.

[6] Johnson in confidential memorandum for the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, and the Chairman of the Personnel Policy Board, April 6, 1949; "A Progress Report for the President," June 7, 1949, Fahy Committee Files.

these plans called for the abandonment of all racial quotas for enlistment and selection for Air Force schools, the opening of all occupational specialty jobs to qualified personnel without racial restrictions, and the placing of enlistment, school attendance, assignment to duty, and promotion on the basis of individual merit and ability. Under this proposal, some Air Force Negro units were to be continued, but all Negroes were not necessarily to be assigned to such units. Furthermore, Negro enlisted strength of a given Air Force organization was not to exceed ten per cent of the total enlisted strength of the organization, and each major command had the authority to screen its own Negro personnel for assignments.[7] The proposed program for effecting this policy provided for the deactivation of the all-Negro 332nd Fighter Wing at Lockbourne Air Force Base, Ohio, and the reclassification and reassignment of these Negro airmen to training schools or major commands of the Air Force; the screening of all Negro personnel in each major command prior to assignment to service schools or formerly white units; and the retention of Negroes in Negro units at their own request or if their presence in key positions were required for the essential functioning of the units.[8]

When the Department of the Air Force met with the Fahy Committee in January, 1949, it submitted this program for the Committee's consideration. The Committee expressed disapproval of the ten per cent limitation on Negro strength in any one unit, and it was not happy with discretion being given to commanders to determine whether individual Negroes were best suited for assignment to racial units.[9] Striking out the two offensive parts and with the Committee's approval, the Air Force submitted its plan to Secretary Johnson in response to Johnson's April 6 directive.[10] With Johnson's endorsement the new plan was put into effect in June, 1949,

[7] James C. Evans in memorandum for Worthington Thompson, February 16, 1949, *ibid.*; *Freedom to Serve*, pp. 36-37.

[8] E. W. Kenworthy to L. C. Green, December 7, 1949; "An Interim Report to the President," July 27, 1949, Fahy Committee Files; "AF Plans Non-Segregation Policy," *Army and Navy Journal*, vol. 86 (February 12, 1949), p. 693.

[9] *Freedom to Serve*, p. 38.

[10] Air Force Secretary W. Stuart Symington in memorandum for the Chairman, Personnel Policy Board, and the Office of the Secretary of Defense, April 30, 1949, Fahy Committee Files.

and in less than a year over seventy per cent of the Air Force's 25,000 Negroes had been assigned to mixed units, working, playing, studying, living, and eating with whites.[11] The all-Negro fighter wing had been broken up, all training schools and all jobs were open to qualified Negro personnel, and all "racial strength" quotas had been abolished. By January, 1950, the Air Force had only 59 Negro units and 1,301 racially integrated units, as compared with 106 Negro units and only 167 mixed units when the policy began.[12] The Committee's Executive Scretary, E. W. Kenworthy, was "very much impressed at the speed and thoroughness with which the Air Force's program had been carried out," and was pleased to learn "all this had been done with so little fuss and no trouble."[13] The only Committee recommendation which the Air Force did not implement immediately was that the minimal entrance scores for enlistees in the Air Force, the Army, and the Navy be the same, and this could not be agreed upon without discussions with the other two branches of the armed forces.[14]

Prior to World War II, the Navy had ordinarily used Negro enlisted men only in the stewards branch. During the war the Navy opened its general service to Negro volunteers, but it normally restricted these men to shore duty or harbor craft. As a result of experiments late in the war, the Navy in April, 1945, announced that Negro personnel would be eligible for service in all auxiliary fleet vessels, with a ten per cent quota for each ship. Later in the year the Secretary of the Navy issued a directive to all ships and stations that no differentiation in the administration of naval personnel should be made because of race or color. The Navy took the next logical step of opening general service assignments without restrictions in February, 1946.[15]

[11] Kenworthy to Miss Yost of the Senate Committee on Education and Labor, March 3, 1950, *ibid.*

[12] *Freedom to Serve*, p. 6.

[13] Kenworthy to Major General Charles W. Lawrence, January 31, 1950, Fahy Committee Files.

[14] "Initial Recommendations by the President's Committee on Equality of Treatment and Opportunity in the Armed Services," May 24, 1949, *ibid.*

[15] *Freedom to Serve*, pp. 19-20; Robert K. Carr in confidential memorandum for members of the President's Committee on Civil Rights, June 10, 1947, Records of the President's Committee on Civil Rights, 1949-47, Truman Library.

The Fahy Committee found little to criticize in the Navy's broad racial statements and policies, but it was concerned that the opportunities which the Navy offered had not attracted a larger number of Negroes into general service. The Committee noted that at the end of the war approximately ninety-five per cent of the Navy's Negroes served in the stewards branch, while only five per cent were in general service.[16] The Committee viewed its primary task with the Navy as one to encourage the Navy to develop a better image with the colored population, thus attracting larger numbers of better qualified Negro enlistees.

When Acting Secretary of the Navy Dan A. Kimball's reply to Johnson's April 6 communique indicated that the Navy would continue to adhere to current Navy Department policies, Johnson returned the reply to the Navy with pointed instructions that a detailed proposal be in his hands by May 25.[17] To assist the Navy's drafting of a satisfactory proposal, the Fahy Committee met several times with Navy Department officials, after which it made five suggestions: (1) the Navy should undertake a recruiting program designed to inform Negroes of opportunities available to them in the general ratings, (2) Negro reserve officers should be recalled to active duty to aid with the Negro recruiting program, (3) the Naval recruiting branch should strive to attract qualified Negro students into its NROTC program, (4) chief stewards should receive the grade of a chief petty officer, and (5) the cut-off, or entry, score on the General Classification Test (GCT) should be the same for the Navy, Army, and Air Force.[18]

The Department of Defense accepted the Navy's second proposal which incorporated the first four of the above recommendations, and the Navy agreed to undertake a study to determine what the lowest GCT score might be for new

[16] Kenworthy to Representative Emanuel Celler, March 16, 1950, Fahy Committee Files.

[17] Kimball to Chairman, Personnel Policy Board, May 2, 1949; Johnson in memorandum for the Secretary of the Navy, May 11, 1949, *ibid.*

[18] "Initial Recommendations by the President's Committee on Equality of Treatment and Opportunity in the Armed Services," May 24, 1949, *ibid.*; *Freedom to Serve*, pp. 26-27.

enlistees without harming the Navy.[19] But the Navy went farther than the Committee had suggested, also proposing that it promulgate a non-discriminatory statement regarding minority races, that all men in the stewards branch be given an opportunity to change to another rating branch if they were qualified to do so, that first-, second-, and third-class stewards have the same rating as comparable petty officers, and that the Marine Corps discontinue its separate Negro recruit training facility.[20] The Committee was most pleased with the Navy's proposals, and readily placed its stamp of approval upon them. Accordingly, an announcement ordering the end of segregation in the Navy was made on June 23, 1949.

Nor was the Navy derelict in carrying out its new policies. Within a few months forty-two per cent of the Negroes in the Navy worked in general service, while only fifty-eight per cent (as contrasted with ninety-five per cent in 1946) remained in the setwards branch.[21] Negroes were serving aboard all types of crafts and in every Navy general rating scattered through nearly every job classification from radio-, radar-, and signalmen to gunners, airplane pilots, mechanics, shore patrolmen, and bookkeepers. Racial quotas for technical schools were abolished, and Negroes were attending the Navy's most advanced schools. Further, Negroes and whites worked side by side and ate and slept in completely unsegregated mess and sleeping quarters both ashore and afloat.[22] The Committee's Executive Secretary wrote: "There is no question in my mind, after visiting a number of Naval installations, that the Navy policy offers equality of opportunity to the Negro, and that in General Service there is no segregation whatsoever."[23] Officers in both the Navy and Air Force reported no trouble at all, claiming that as a result of integration friction had decreased and the efficiency of the services had improved.[24]

[19] "A Progress Report for the President," June 7, 1949, Fahy Committee Files.

[20] Kimball in confidential memorandum for the Secretary of Defense, May 23, 1949, *ibid.*; *Freedom to Serve*, p. 5.

[21] Kenworthy to Eric Severeid, February 24, 1950, Fahy Committee Files.

[22] Fahy to Mrs. Arthur Forrest Anderson, November 23, 1949, *ibid.* See also *Time*, vol. 55 (June 5, 1950), p. 18.

[23] Kenworthy to Celler, March 16, 1950, Fahy Committee Files.

[24] Kenworthy to Severeid, February 24, 1950, *ibid.*

In October, 1940, as the United States mobilized for war, President Franklin D. Roosevelt had released a statement prepared by the War Department providing that Negroes be enrolled in the American armed forces on the basis of their ten per cent population ratio to that of the nation and that the long-standing tradition of segregation in the military be continued. The statement read, "The policy of the War Department is not to intermingle colored and white enlisted personnel in the same regimental organizations. This policy has been proven satisfactory over a long period of years and to make changes would produce situations destructive to morale and detrimental to the preparation for national defense. . . ."[25] At the end of the war five years later, a special board of officers headed by General Alvan C. Gillem was appointed to study the utilization of Negro manpower in the postwar Army. Made public in March, 1946, the Gillem Board Report recommended expanding the range of Army jobs available to Negroes, mixing Negroes and whites in duty assignments in overhead (house-keeping) installations, increasing the types of Negro units, steadily reducing the size of Negro units and assigning them to larger white units, and continuing the ten per cent quota system for enlistments. The recommendations of this board were approved and incorporated in War Department Circular No. 124, issued in April. 1946.

The Gillem Board Report represented a small step away from the Army's previous Negro policy, but the Army was not disposed to go beyond this policy, presenting considerable resistance in 1949 to the Fahy Committee's suggestions to desegregate. After rejecting Secretary of the Army Kenneth C. Royall's reply to his directive of April 6, Secretary Johnson also found unacceptable the contents of a second letter from the Army which essentially proposed nothing beyond the framework of its existing policies and practices.[26] A third reply was requested by June 20, but that deadline was advanced by mutual consent while the Army and the Fahy Committee

[25] Quoted in *Freedom to Serve*, p. 48.

[26] Royall in memorandum for the Secretary of Defense, April 21, 1949; Acting Secretary of the Army Gordon Gray in confidential memorandum for the Secretary of Defense, May 26, 1949, Fahy Committee Files.

conferred over a period of several months striving to reach agreements acceptable to both.[27]

As the Committee proceeded with its examination of the Army's personnel practices, it came to realize that the moral question of the equality of treatment and opportunity was inextricably bound up with the problem of the most efficient use of manpower.[28] Throughout the discussions the Fahy Committee contended that segregation created administrative problems, interfered with efficiency, and endangered the national security. Army leaders agreed that complete integration would simplify administrative problems, especially in the forming of units and in the assigning of troops. But they disagreed with the Committee's other two contentions. They held that battle efficiency might be adversely affected by integration. In a statement before the Committee, Secretary Royall argued that Negro troops in the past had been less qualified than white troops for performing certain types of military service, especially combat action, and that this lack of performance affected morale. Chief of Staff General Omar Bradley held that a substantial and sudden change in the Army's partial segregation policy would harm voluntary enlistments and re-enlistments. In addition, problems not then present would develop during social activities if desegregation came. All of these conditions might jeopardize the national security, and for these reasons "the Army believes that the steps that it has taken constitute the best present practical method of handling—and gradually narrowing—the segregation problem." Moves toward integration should be taken only "as fast as our social customs will permit." The Army clearly did not look upon itself as an agent of social reform.[29]

The Fahy Committee was not impressed with the Army's arguments. Informally it made eight recommendations which it believed would go far in realizing the President's objective

[27] *E.g.*, see Fahy to Gray, July 19, 1949; Fahy to Johnson, July 25, 1949, *ibid.*

[28] "An Interim Report to the President," July 27, 1949, *ibid.*

[29] Statement of the Honorable Kenneth C. Royall, Secretary of the Army, Before the President's Committee on Equality of Treatment and Opportunity in the Armed Services, March 28, 1949; Statement by General Omar Bradley, Chief of Staff, Before the President's Committee on Equality of Treatment and Opportunity in the Armed Forces, March 28, 1949, *ibid.*

and would also make for a more effective Army. Combining some of the specific recommendations under general headings, the four major suggestions were: (1) open all Army job classifications (Military Occupational Specialties) to qualified personnel regardless of race; (2) abolish racial quotas for Army schools, all of which should be open to all qualified men; (3) assign all personnel on the basis of qualifications without regard to race; (4) abandon the ten per cent quota on Negro enlistments.[30] Secretary Johnson encouraged the Department of the Army to consider ways to effect the Committee's suggestions, but the Army dragged its feet. For example, as an alternative to opening all Military Occupational Specialties (MOS) to all qualified personnel, it agreed to provide a "suitable number of positions in each occupational career field for Negroes." To find spaces for them, the Army desired to activate new Negro units. The Committee considered the counter-proposal entirely unacceptable because it would extend rather than curtail racial units.[31]

After additional conferences and conversations involving the Committee, the Secretary of Defense, Secretary of the Army Gordon Gray (who had replaced Royall in June, 1949), and Vice Chief of Staff General W. H. Haislip, the Army agreed "in substance" to accept the first three recommendations of the Committee.[32] But when the Army revealed on September 30, 1949, the program it intended to pursue, it had yielded on only the first two recommendations. In lieu of assigning all men on the basis of qualifications irrespective of race, the Army stated that the "promotion system of the enlisted career guidance program will be administered on an equal merit . . . without regard to race or color." The Army did indicate that ROTC students attending summer training camps as members of school units would be trained without regard to race. But it announced that a board of senior Army officers would be convened from time to time to determine progress under the new program and to re-examine and review the fundamental policies for the utilization of Negro

[30] "Recommendations for Army Action Looking Toward Equality of Treatment and Opportunity," July 25, 1949, *ibid.*

[31] "An Interim Report to the President," July 27, 1949, *ibid.*

[32] Committee memorandum for the President, September 26, 1949, *ibid.*

manpower. Finally, the Army said that study would continue on the question of quota enlistments for Negroes. Secretary Gray made it clear that these moves did not mean that the Army's Negro units were to be broken up or that Negro personnel would be scattered throughout the Army.[33]

Although acknowledging the Army's new racial program as a significant step forward, the Committee saw its effectiveness seriously impaired by the failure to provide that MOS graduates be assigned according to their qualifications without regard to race or color. The Committee believed that if the Army would supplement its new program with an adequate statement covering the question of assignment that "this would mean the beginning of integration by a slow and practical process and provide for a better Army."[34] When discussions on personnel assignments appeared to be making no progress, the Committee informed the White House that publicity or pressure or both were needed to force the Army to cooperate. The Committee was in no mood to lose its advantage, and it threatened to release to the press strong statements criticizing the Army's refusal to desegregate further.[35] The power play was successful. After additional conferences the Army capitulated on January 14, 1950, agreeing to the Committee's position on the question of the assignment of Negro personnel. No longer were Negroes to be limited to separate units and overhead duties, but they were to be used throughout the Army. Also Negroes serving in mixed units were to be integrated on the job, in the barracks, and in the messes.[36]

At the same time the Committee and the Army were locked in the struggle over personnel assignments, they were also in disagreement on the ten per cent quota on Negro enlistments.

[33] Gray in memorandum for the Secretary of Defense, September 30, 1949, *ibid.* See also, Washington *Post*, October 1, 1949.

[34] "Further Interim Report for the President," October 11, 1949, Fahy Committee Files.

[35] Fahy to David K. Niles, November 30, 1949; Memorandum for the record [of telephone conversation between Kenworthy and Philleo Nash], December 9, 1949; Draft Press Statement (not released), December 10, 1949; Committee memorandum for the President, December 14, 1949; Kenworthy in memorandum for Fahy, December 19, 1949, *ibid.*

[36] Committee memorandum for the President, January 16, 1950, *ibid.*; *Freedom to Serve*, p. 7.

The Committee held that the quota system should be eliminated because its racial limitation was directed solely toward Negroes and because it permitted, when the quota was full, the re-enlistment of less qualified Negroes and denied initial enlistment to better qualified Negroes. Fearing excessive numbers of Negroes in the Army if the quota system were abolished, the Army was adamant toward the Committee's suggestion. In an attempt to strike down the racial quota and at the same time control the numbers of both whites and Negroes of low intelligence, the Committee proposed that the Army establish a system by which the number of men in the lowest intelligence ranges would be limited to the "normal percentage in these brackets as revealed by World War II experience." But the Army feared that this compromise would result in an inordinately large percentage of Negroes in the Army. Moreover, it believed that it would have to release from the Army large numbers of low-score men whom it could not replace with high-score enlistees.[37] Secretary Gray indicated that the Army was prepared to adopt a substitute for the numerical quota "if one could be devised which afforded assurance against a disproportion between Negro and other personnel within the Army in peace as well as war time," but he was "compelled to conclude that nothing has been suggested by your committee which approaches this requirement."[38]

The Committee subsequently advanced several alternatives, and the Army began to offer counterproposals—most of which revolved around minimal intelligence levels of Army enlistees and how these standards might be affected with the alteration or the abolition of the quota system—but none was acceptable to both sides.[39] When the White House informed Judge Fahy that it would like to see the Committee and the

[37] Committee memorandum for the President, September 26, 1949, Fahy Committee Files.

[38] Gray to Fahy, November 17, 1949, *ibid.*

[39] For some of these compromise and substitute suggestions, see Kenworthy in memorandum for the Committee, November 22, 1949; Kenworthy in memorandum for the record, December 14, 1949; Kenworthy in memorandum for the Committee, January 6, 1950; Kenworthy in memorandum for Fahy, January 30, 1950; Fahy in memorandum for the Committee, February 1, 1950; Fahy in memoranda for Gray, February 1, 8, and 9, 1950; Kenworthy to Dwight R. G. Palmer, February 8, 1950, *ibid.*

Army arrive at a satisfactory solution to the quota question, the Committee pursued the subject more vigorously than ever. Armed with statistical tables and charts, the Committee at last convinced the Department of the Army that the abolition of the quota system would not result in the Army being inundated by Negroes if the minimal entrance scores were the same for the three military services. When the Army and the Navy agreed to have the same cut-off score and the Air Force adopted one only slightly higher, the Army decided to abolish the racial quotas as recommended by the Committee.[40] The final major recommendation of the Committee to the Army was thus accepted, and on March 27 Adjutant General of the Army Edward F. Witsell dispatched a routine telegram to all Army commands announcing that effective in April all enlistments in the Army within overall recruiting quotas would be open to qualified applicants without regard to race or color.[41] Soon after its terrific tussle with the Army had ended, the Committee was able to state that "all of the Committee's recommendations have been approved and accepted by the President, the Secretary of Defense and the service Secretaries. They are now in effect."[42]

In less than a year and a half of existence, the President's Committee on Equality of Treatment and Opportunity in the Armed Forces had brought about policies in the Army, Navy, and Air Force which were little short of revolutionary, even though the policies on paper were not all put into effect immediately nor always carried out in practice.[43] The Committee's Executive Secretary placed the Committee's efforts in proper perspective when he wrote: "The new racial programs of the services are not millennial. Much remains to be done. But I think it fair to say that they represent an unprecedented stride toward the solution of a problem that has embarrassed the nation since its beginning."[44]

[40] Fahy in confidential memorandum for the Committee, March 8, 1950; Kenworthy in memorandum for the Committee, March 11, 1950, *ibid.*

[41] Mimeographed copy in Fahy Committee Files.

[42] *Freedom to Serve,* p. vii.

[43] L. D. Reddick, "The Negro Policy of the American Army Since World War II," *Journal of Negro History,* vol. 38 (April, 1953), pp. 214-15.

[44] Kenworthy, "Taps for Jim Crow in the Services," *New York Times Magazine,* June 11, 1950.

It should be pointed out that neither President Truman's Executive Order 9981 nor Secretary Johnson's April 6 directive indicated concern with the National Guards of the several states. Likewise, the Fahy Committee busied itself with conditions related to the Army, Navy, and Air Force, ignoring the *staunchly segregated Guard units. The Guard in Southern states today remains strictly segregated!*

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STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION (Act of October 23, 1962; Section 4369, Title 39, United States Code)

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B. Paid circulation		
1. Sales through dealers and carriers, street vendors and counter sales	0	0
2. Mail subscriptions	2,175	2,175
C. Total paid circulation	108	108
D. Free distribution (including samples) by mail, carrier	108	108
E. Free distribution (sum of C and D)	2,283	2,283
F. Offise use, left-over, unaccounted, spoiled after printing	717	717
G. Total (sum of E & F—should equal net press run shown in A)	3,000	3,000

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CHARLES WALKER THOMAS, *Secretary-Treasurer*

THE HISTORY OF THE CIVIL RIGHTS BILL OF 1964

The summer of 1963 witnessed an extraordinary example of mass interest group pressure. Over 200,000 people participated in a March on Washington to protest against the problem of discrimination.[1] The March was climaxed with a speech by the Reverend Martin Luther King who spoke of a dream—a dream of a colorless society. But in August, 1963, it was only a dream. And while dreams provide us with a hope, too often they are momentary things which never reach fruition.

This is a study of one of the major steps which has been taken in an effort to translate this dream into a political reality. It is an examination of some of the major factors which led to the passage of the 1964 Civil Rights Bill. While it is admittedly difficult to identify and isolate any one or more variables which provided the margin of victory in this legislative struggle, there are perhaps two outstanding features which contributed to the success. The first revolves around the dynamic *political agitation* emanating from libertarian interest groups in society. These orgainzations embarked upon a concerted campaign to awaken the public to the enormity of the problem of discrimination. The second factor flows from a sophistication of the *organizational* and *procedural tactics* used by the pro-civil rights members in the House and Senate. These two factors, more than any other, changed the political climate in Washington from one largely characterized by inaction, to one of legislative success.

Before moving into an examination of the developments which led to the 1964 bill, it might be wise to pause momentarily to see why great strides had not been made in the area of civil rights in the past.

The Period of Inertia

In gaining a proper perspective of the struggle for civil rights in the past, it is necessary to focus attention on four major actors: Congress, the Presidency, the Judiciary, and a cluster of interest groups which traditionally have concerned themselves with problems of discrimination. Each directly or

[1] *New York Times* (August 29, 1963), p. 1.

indirectly has contributed to the dearth of progress in the civil rights struggle.

Congress has revealed a rather consistent record of apathy in this area of concern. In all, only four major pieces of civil rights legisilation have been enacted by it since the Civil War. A Reconstruction Congress passed a rather broad piece of legislation in 1866.[2] The rights under this Act, however, seemed to vanish into antiquity with the collapse of the radical Reconstruction Congress. Nine years later, in 1875, Congress passed another piece of civil rights legislation which, in great measure, was nothing more than a glorified "public accomodations" act. This Civil Rights Act was declared unconstitutional by the Supreme Court in *The Civil Rights Cases*.[3] Between 1875 and 1957, Congress sat quietly and let nature take care of the problem of discrimination. For 82 years no major piece of civil rights legislation was reported out of Congress. In 1957 and 1960, Congress did enact civil rights bills, both of which were largely limited to voting rights. In the 1957 bill, a Civil Rights Commission was established but its power was rather nominal. In the 1960 bill, the 1957 legislation was refined a bit and the Department of Justice given a larger role with respect to problems of enforcement.

The primary reason for Congressional inaction in the area of civil rights may be attributable to a number of institutional barriers in Congress which have precluded the passage of meaningful legislation. One of the more troublesome obstacles flows from the Southern control of the committee chairmanships in both houses. In the Senate, the Judiciary Committee is chaired by James O. Eastland, a Southern Democrat from Mississippi. It is little wonder that civil rights proposals have had a difficult timt in the Senate where Eastland has been one of the more vocal opponents of civil rights legislation. In the House, Emmanuel Celler (D N.Y.) chairs the House Judiciary Committee, so the problem is less acute there. But the big hurdle in the House of Representatives looms in the form of

[2] The 13th, 14th, and 15th Amendments were passed at this time as well but the instant analysis is limited to legislative enactments. Congress also passed a series of six separate enforcement statutes between 1866 and 1957.

[3] 109 *U. S.* 3 (1883).

the House Rules Committee. The Rules Committee is headed by Howard W. Smith, a conservative Democrat from Virginia. And Smith's dedicated opposition to civil rights legislation hardly needs to be dwelled upon.

Returning to the Senate, another institutional barrier, the Senate filibuster, has played a significant role in defeating "rights" legislation. While a Southern filibuster can be cut off by invoking cloture (a two-thirds vote of all the senators present and voting), cloture has been invoked only five times since it was incorporated into the Senate rules in 1917.[4] Finally it should be noted that both houses of Congress are often controlled by a loose-knit coalition of Southern Democrats and conservative Republicans. Since this conservative coalition has never evidenced great sympathy toward "rights" legislation, Congress, instead of being the birthplace of civil rights legislation, has constituted its graveyard.

The Presidency, like Congress, has manifested a rather grim record in the promotion of civil rights. It is true that history reveals a number of incidents reflecting concern on the part of several Presidents. In 1948 Truman issued an executive order terminating segregated practices in the armed forces.[5] And this has been supplemented over the years by the Eisenhower and Kennedy Administrations. But when viewed from a gestaultian standpoint, the office of the Presidency has not measured up to its potential in this area.

In recent years, one can almost discern a pattern which our executives have taken on the issue of civil rights. While seeking the Presidency, the nominees fill their speeches with glowing allegiance to minority groups and praise for libertarian programs. But once elected, a President is confronted with a more complex problem than he faced while campaigning. He must strive to get a multitude of different programs enacted into law. The President cannot limit his energy to the promotion of civil rights; rather, he must concern himself with a tax bill, a reciprocal trade bill, a foreign aid bill, a farm bill, problems of urban renewal, and a multitude of other

[4] Versailles Treaty (1919), World Court (1926), Branch Banking (1927), Prohibiting Reorganization (1927), and the Communications Satellite (1962). The invocation of cloture in the 1964 Civil Rights Bill debate raises the number to six.

[5] Executive Order 9981, *Federal Register*, XIII (1948), p. 4313.

legislative proposals which he hopes to pressure through Congress. In view of this, it would be folly for a President to push a bill which would not only generate hostility among the more powerful forces in Congress, but perhaps throw up a legislative bottleneck which would block the different proposals which he wanted Congress to consider. Civil Rights legislation constitutes precisely such a measure. In order not to jeopardize the rest of his legislative program, the President generally offers his civil rights proposals as a sacrificial lamb thereby precluding any determined executive action in the area of civil liberties.

Congress and the Presidency then have all but created a political vacuum with respect to promoting civil rights in the past. This may be attributed to the fact that these two major political institutions have either been unable to act because of institutional barriers such as the filibuster, or unwilling to act because of political ideology. The Judiciary, on the other hand, has not been as reticent as Congress and the Presidency. Indeed, they have moved slowly but deliberately in attacking discriminatory practices over the past two decades. The evolutionary development of this libertarian program is amply demonstrated in the Court's attacks upon the "separate but equal" doctrine in the field of education. The major assault on the "separate but equal" doctrine began as early as 1938 when the Court handed down *Missouri ex rel. Gaines v Canada*.[6] This was followed by a series of frontal attacks upon the discriminatory doctrine including *Sipuel v Oklahoma*,[7] *Sweatt v Painter*,[8] and *McLaurin v Oklahoma State Regents*.[9] The climax in this judicial affront on segregation came in the School Segregation Cases[10] in 1954 where the "separate but equal" doctrine was dealt a mortal blow in the field of education. A similar pattern of progress through the legal channels may be found in the series of cases which assisted the Negro in gaining his voting franchise.

[6] 305 *U. S.* 337 (1938).
[7] 332 *U. S.* 631 (1948).
[8] 339 *U. S.* 629 (1950).
[9] 339 *U. S.* 637 (1950).
[10] *Brown v Board of Education*, 347 *U. S.* 483 (1954).
[11] The Urban League of late has made great gains, especially in the area of securing jobs for Negroes in industry and banking.

While the courts partially filled the near political vacuum which Congress and the Presidency had created in the area of civil rights, they could not adequately satisfy the needs of the minority groups. Litigation is a slow and an expensive process. But even more importantly, the Court's decisions are susceptible to easy circumvention. With respect to decisions involving discrimination, non-compliance and circumvention became the general rule rather than the exception in many areas of the nation. The pace of progress was slow, and the patience of those who were being deprived was wearing thin.

The final major actor which has played a meaningful role in promoting civil rights revolves around a cluster of interest groups. The N.A.A.C.P., the Urban League, the American Jewish Congress, the American Civil Liberties Union, all assumed some initiative over the past decades in an attempt to eliminate the problem of discrimination. But for many years, these interest groups were not particularly effective. The bulk of their activity was limited to the legal arena. The use of "test cases" and the submission of briefs *amicus curiae* constituted the major tools by which groups such as the N.A.A.C.P. and the A.C.L.U. could make themselves heard. Efforts were made to exert pressure in the halls of Congress, but these groups simply had no leverage that they could use aginst the conservative "establishments" which dominated the House and Senate. Moderate progress was made in certain urban areas of the North by such groups as the Urban League,[11] but on the whole, success progressed at a very slow pace.

The Emergence of Political Agitation

While advances in the area of civil rights were limited prior to 1954, a foundation was being laid upon which to predicate the current social revolution. As Anthony Lewis noted recently, there were a number of different forces working for change in the field of race relations:

> . . . the industrilization and urbinization of the South, bringing with them social anonymity; the weakening of regional differences . . . by the impact of mass communications; universal training in armed forces that were being desegregated; a slow growth in the Negro's legal and political power.[12]

[12] Anthony Lewis, "Since the Supreme Court Spoke," *New York Times Magazine* (May 10, 1964), p. 9.

All that was needed was a catalyst. The catalyst came in the form of Chief Justice Warren's opinion in the School Segregation Cases. This decision cloaked the civil rights movement in a mantle of legitimacy and gave it the moral nourishment necessary to every social revolution. But the large question remained—how to proceed? Congress still remained under the control of the conservative "establishment." President Eisenhower seemed to be indifferent to the cause and occupied his Administration with problems of a different nature. The Court's were sympathetic, but agonizingly slow in their assistance. Indeed, it appeared that the movement would have to proceed by way of interest group agitation. And the agitation would have to be channeled in a different direction from that of the past. The immediate need was not to awaken Congress or the President, for indeed, this was impossible given the current political configuration. The immediate need was to awaken the people to the fact that there was a problem of discrimination. As Michael Harrington reasoned in *The Other America*[13] that poverty is something invisible to the majority of the people, the same may have been true with respect to discrimination in the early 50's. The vast majority of people at this time were simply unaware that the problem existed in such magnitude. They were unconcerned, for the problem never touched their lives; they couldn't see it, they couldn't feel it. And so the Negro, who for many years had been politically inarticulate and patient with the policy-making processes in this country, took his cause to the streets. He went to the streets to awaken society to the fact that there was a problem in its midst. He went to the streets because there was no place else to go.

The spark that set this dynamic interest group activity into motion occurred in Montgomery, Alabama in December of 1955. Reverend Martin Luther King led a successful boycott against segregation on the city bus lines. While the nation's judiciary played a prominent role in invalidating segregation in local public transportation,[14] the Montgomery bus boycott signaled the beginning of an era of non-violent

[13] Michael Harrington. *The Other America* (Baltimore. Penguin Books, 1962).

[14] *Gayle v Browder*, 352 *U. S.* 903, declared that segregation on local transportation violated the Equal Protection of Laws clause of the 14th Amendment.

protests. It also gave rise to the creation of the Southern Christian Leadership Conference, which was organized to assist individuals and organizations intent on using non-violent protests as a technique by which to break down segregation barriers.

Passive resistance to local discriminatory practices, while conceived in 1955, really did not catch fire for several years. In the meantime, however, the emerging social revolution did not fall from the headlines. In 1956, pursuant to a court order, the University of Alabama was required to admit a Negro girl, Autherine Lucy. This was the first penetration into the segregated school system in the hard core Southern states. The reaction to this breaking of the color barrier was violent. Riots broke out on the University campus and Miss Lucy was ultimately expelled. This uncompromising attitude on behalf of the South, then, perpetuated the problem of discrimination thereby keeping it prominently displayed before the public. The opponents of integration were now accomplishing that which the proponents needed to do, i.e. awaken the public to the discriminatory practices which the public as a whole could not yet see or feel.

The ugliness of racial prejudice was revealed in its full bloom in September, 1957, when the nation became a witness to the Little Rock incident. The General Assembly of the State of Arkansas enacted several laws to block desegregation, and Governor Orval Faubus ordered the State National Guard to prevent Negro children from entering the schools. A court order was issued which precluded Governor Faubus from violating the desegregation order, but his conduct and that of other segregationists resulted in a good deal of civil disorder. President Eisenhower finally had to use federal troops to remove the obstructions to the Court's desegregation decree. This resulted in several Negro children being admitted to Central High School.

Three years later, the Little Rock story was unfolded anew in New Orleans. This time the conflict did not focus on high school students, but on small children attempting to integrate two New Orlean's elementary schools. On November 13, 1960, three small Negro girls entered McDonogh School, while one

Negro girl registered at the William Frantz School. That evening and for a score of evenings to come, the public witnessed another racial spectacle via national television. Angered mothers screaming and shouting at small children as they daily entered classrooms which were nearly empty due to a white boycott were vividly communicated to the nation. Perhaps the most touching scene revolved around the efforts of Reverend Floyd Foreman, a white Methodist minister, who continuously escorted his five year old daughter to school each day ignoring the abuse heaped upon him by the segregationists. All of this was being recorded. The public was beginning to see.

Earlier in 1960, the attempt to awaken the public to the racial problems in society began a new phase. Four Negro college students in Greensboro, North Carolina, went into a variety store, made several purchases, and then sat down at the lunch counter for a cup of coffee. When they were refused service, they remained in their seats until the store closed. Frustrated and impatient with the progress being made through the legal processes, these four college students instituted a new technique of persuasion—the sit-in. The sit-in movement caught fire and quickly spread to other parts of the country. Atlanta, Memphis, Chattanoogo, New Orleans. Out of this student protest movement came the Student Non-Violent Co-ordinating Committee, one of the interest groups which was to play an extremely prominent role in the struggle for civil rights prior to the enactment of the 1964 Civil Rights Bill.

The sit-in movement proved to be a great success. Within two years, department store lunch counters and other facilities were desegregated in more than 100 cities in 14 states across the nation.[15] But more important than the immediate desegregation of public facilities was the fact that the sit-ins marked the beginning of an era in which civil rights became the foremost issue of the day. The newspapers, television, radio, all media of communications became pre-occupied with the problem, It was no longer necessary to try to keep racial

[15] United States Commission on Civil Rights. *Freedom to be Free* (Washington: U.S. Government Publishing Office, 1963), p. 177.

abuses before the eyes of the public. The movement was becoming perpetuated by its own momentum. Hungry reporters in seeking out controversy fanned the flames which enlightened the public. The nation was beginning to see, and having seen, was becoming concerned. The invisible world of discrimination was no longer invisible.

It was at this time that a new militant interest group appeared on the horizon—the Congress of Racial Equality. Though CORE had been in existence since 1942, it was not jettisoned into prominence until 1961 when James Farmer, its national director, announced the beginning of a number of freedom rides. The freedom rides were designed to test racial discrimination in interstate travel terminals. On May 4, 1961, a bi-racial group of freedom riders left Washington, D.C., and began heading for New Orleans. The freedom riders were intent on periodically stopping along the route for purposes of testing discriminatory practices which were in affect in the Southern states.

CORE achieved what it had set out to do. Freedom riders were arrested along the way, tires on buses were slashed, a bus was set afire, a number of the freedom riders were beaten by mobs, and all of this received extensive national coverage. But in addition to awakening the nation to the continuance of discriminatory practices across the country, several new elements were injected into the social revolution. The movement was taking on a distinct bi-racial flavor. Clergymen, college professors, and a few professional people, many of whom were white, began to join the freedom riders. By May 17th, CORE, the Nashville Student Movement, SNCC (Student Non-Violent Co-ordinating Committee), and Martin Luther King's Southern Christian Leadership Conference, all had their organizations participating in the rides.[16]

Another important contribution to the social revolution at this time emanated from the fact that the federal government became actively committed to the cause. Attorney General Robert Kennedy, though attempting to maintain political stability by calling for a "cooling off" period, instituted

[16] Louis Lomax. *The Negro Revolt* (New York: Harper and Row, 1963), p. 153.

measures to protect the freedom riders. The Justice Department negotiated with Southern authorities, the F.B.I. arrested four men who set fire to one of the "freedom buses," federal marshalls were sent to Montgomery, and injunctions were sought to restrain the Ku Klux Klan and other organizations from interfering with "peaceful interstate travel by bus." In addition, the Attorney General was instrumental in getting the Interstate Commerce Commission to issue an order banning segregation in interstate terminal facilities.[17]

As far as the issue of awakening the American public to the problem of discrimination was concerned, the mission had been accomplished. The sit-ins and the freedom rides had more than achieved this goal. But these two movements constituted but a preview of the continuing struggle for integration. In 1962, the nation witnessed the confrontation of the federal government and the State of Mississippi when James Meredith attempted to enroll in the University of Mississippi. A campus riot left two dead and the town of Oxford inundated with federal marshals and troops. A year later found history repeating itself as Governor George Wallace stood in the doorway of the Administration Building at the University of Alabama in his unsuccessful attempt to bar integration.

The year 1963 was perhaps the most tragic of all. In May, the City of Birmingham exploded into racial conflict, and the nation watched the police break up Negro protest marchers with police dogs, fire hoses, and electric cattle prods. In June, the focus of attention moved to Jackson, Mississippi, and the murder of Medgar Evers, the local head of the N.A.A.C.P. A few months later, four small Negro girls died when a church in Birmingham was bombed. And while the bombing and burning of Negro churches used as meeting places for civil rights movements was not uncommon, this was the first time that young lives had been taken as a result of such bombings.

While in 1962 and 1963 the public had already been awakened to the fact of discrimination, the climax to this movement of political agitation came on August 28, 1963, in the form of the March on Washington. It was reported that nearly 200,000 persons gathered on that summer day to protest against

[17] *Ibid.*, pp. 147-156.

racial discrimination. It was here that Martin Luther King moved the nation with his stirring speech, with his vision of a colorless society. Perhaps the most successful aspect of the March rested with the fact that the support of the social revolution was now truly bi-racial. Generous support was extended to the movement by prominent members of the white race. The Reverend Eugene Carson Blake, head of the National Council of Churches, Walter Reuther of the United Automobile Workers, Rabbi Joachim Prinz of the American Jewish Congress, Mathew Ohmann of the National Catholic Conference of Interracial Justice, and Archbishop Patrick A. O'Boyle constituted but a few of the multiude of white people who joined in the March on Washington making it a bi-racial affair.

By August, 1963, a firm foundation had been laid for the passage of a civil rights bill. The public had needed an awakening, and within the span of a few brief years, a cluster of militant interest groups responded to this need. The initial problem of exposing the issue of discrimination to the public in hopes of broadening the movement's political base of support had been accomplished. Encouraged by the success and dynamism which the social revolution had achieved "in the streets," the proponents of civil rights were now prepared to test their strength against the traditional barriers in Congress which heretofore had precluded the passage of a strong, comprehensive civil rights bill.

Organizational and Procedural Tactics

The second major factor which assisted in bringing the Civil Rights Bill of 1964 into fruition revolves around the organizational and procedural tactics utilized by the liberal forces in the House and Senate. As noted earlier in this study, proposed civil rights legislation had in the past been thwarted by a number of institutional barriers built into the legislative process. The House Rules Committee, the seniority system, the Senate filibuster, and the coalition of Southern Democrats and conservative Republicans are to mention but a few of the more prominent obstacles. Having aroused the public to the fact that discrimination was not an isolated phenomenon in

our society, the next task was to overcome these legislative hurdles. History had demonstrated that this would not be easy.

Organizational Tactics in the House

While the Senate Commerce Committee in 1963 held hearing on a Public Accommodations Bill in the upper house, the major battle over passage of a general Civil Rights Bill began in the House of Representatives. The House, unlike the Senate, did not pose an immediate institutional barrier to passage in the form of a hostile committee chairman. The chairman of the House Judiciary Committee, Emannuel Celler (D N.Y.), was a long time supporter of civil rights legislation. Celler assigned the bill to a subcommittee dominated by a bi-partisan coalition of Republicans and Democrats who supported the passage of a strong comprehensive bill. Indeed, this coalition was so firmly committed to a strong bill, that the Administration became gravely concerned that the final version of the bill would be unacceptable to the Senate. Attorney General Robert Kennedy was dispatched to negotiate with the subcommittee which had substituted a bi-partisan bill in place of the Administration's bill. Kennedy hoped to tone down the proposed legislation thereby minimizing the opposition expected in the Senate. His efforts met with but limited success.

The Advocates: The bi-partisan organizational leadership in the House which acted as a catalyst behind the Civil Rights Bill did not come from the formal leadership in either party. On the Democratic side, this function was provided by the Democratic Study Group (DSG). Headed by Frank Thompson (D, N.J.) and Richard Bolling (D, Mo.), the DSG was not only instrumental in working out a strong compromise in the subcommittee, but it also organized Democratic strategy on the floor so as to defeat the vast majority of the 122 amendments offered to change the bill.[18] Each of the 20 members of the DSG was charged with keeping tab on five or six other Democrats to make sure that they were in attendance and voting the right way.

[18] Only 28 of 122 amendments were passed, and most of these were but technical adjustments. See *Congressional Quarterly, Weekly Report*, Vol. XXII, No. 7 (Feb. 14, 1964), pp. 293 et seq. for a discussion of the amendments.

On the Republican side a similar pattern emerged. Minority leader Charles Halleck (R, Ind.) took a bact seat to William McCulloch (R, Ohio). McCulloch, who was the ranking minority member of the House Judiciary Committee, was assisted by several other "young turk" Republicans including John Lindsey (R, N.Y.), Charles Mathias (R, Md.), and Clark MacGregor (R, Minn.) The McCulloch forces operated not unlike the liberal DSG from an organizational standpoint. Most importantly, there existed a good deal of cohesion between the two groups which kept the libertarian coalition cemented closely together.

In addition to the creation of this well-oiled liberal coalition, the 1964 bill received a great deal of assistance from three major groups organized outside of the legislative chambers. The first of these three associations was the Leadership Conference on Civil Rights. The Leadership Conference consisted of approximately 77 civic, religious, and fraternal groups which had been extremely active in the civil rights movement for some years. Participants in the Conference included the major Negro civil rights organizations such as the N.A.A.C.P., a number of the major AFL-CIO unions, and the National Council of Churches. Led by Clarence Mitchell of the N.A.A.C.P., the Leadership Conference worked closely with the liberal coalition in the House. It participated in the morning strategy meetings held in Representative Frank Thompson's (D, N.J.) office at the beginning of each day, and occupied much of the galleries for purposes of checking to make sure sympathetic representatives were on the floor of the House when they were needed. In addition to these tactical maneuvers, the Leadership Conference provided a good deal of literature promoting the 1964 Civil Rights Bill. It was responsible for the widely circulated pamphlet "Some Questions and Answers on the Civil Rights Bill."

At this point a brief comment might be made with respect to the role of the National Council of Churches. It was extremely active in bringing pressure upon Congressmen. Indeed, it has been reported that the National Council of

[19] Murray Kempton, "The Senate: Mr. Humphrey's Conquering Hosts," *New Republic* (April 4, 1964), p. 8.

Churches was spending in the neighborhood of $400,000 in promoting this legislation.[19] To crystallize the wide support extended by religious groups, the Protestant, Catholic, Jewish and Eastern Orthodox sects held a National Interreligious Convocation of Civil Rights at Georgetown University on April 28, 1964.[20]

The second major organization which worked intimately with the liberal coalition in the House was the Republican Legislative Research Association. Headed by Charles Taft of Ohio, this Republican group formed a nucleus around which GOP legislators assembled. Robert Kimball, the legislative and research director of the Association was in constant contact wits Representative McCulloch (R, Ohio) and the minority members of the House Judiciary Committee. In particular, Kimball and William Copenhaver, the minority counsel on the House Judiciary Committee, worked hand in hand to iron out some of the more difficult points of controversy inherent in the bill. It was Kimball and Copenhaver who met with the representatives of the Justice Department to negotiate the partisan differences in the bill. This assured that the final product could receive the full and firm backing of the whole bi-partisan coalition.

In addition to the Republican Legislative Research Association, the liberal members of the minority party were assisted by the Critical Issues Council of the Republican Citizens Committee. This group, headed by Milton Eisenhower, functioned primarily as an information agency promoting the campaign for passage.

The third major organization which assisted the bipartisan coalition was the Justice Department. Under Attorney General Robert Kennedy, the Justice Department was instrumental in drafting the Administration's original civil rights bill. In addition, the Justice Department played an extremely active role in the coalition's strategy sessions. Indeed, it even stationed several men from the Civil Rights Division in the galleries to assist the coalition in handling the bill on the House floor.

These, then, constituted the major forces which supported

[20] *New York Times* (April 29, 1964), p. 1.

passage of a strong bill. In Congress, the Democratic Study Group and the liberal Republicans under the direction of Representative William McCulloch acted as the catalyst. Outside of the legislative chambers, it was the Leadership Conference on Civil Rights, the Republican Legislative Research Association, and the Department of Justice.

The Opposition: Perhaps the most prominent comment that can be made with respect to the legislative opposition to the 1964 bill in the House is that it was conspicuously weak and ineffective. The Southern opposition was led by Representative Edwin Willis (D, La.), the ranking Southerner on the House Judiciary Committee. The Southern forces hardly caucused during the battle over the bill, and indeed, the whip system, led by Representative Thomas Abernethy (D, Miss.), was so poor that it appeared to represent but token opposition to the bill.

While the general overall organization among the opponents to the proposed Civil Rights Bill was weak, many people thought that the Southern strength would manifest itself in the House Rules Committee. The Rules Committee decides if and when a bill will be sent to the floor for consideration. The chairman of the House Rules Committee is Judge Howard W. Smith (D, Va.). Judge Smith in the past has always given civil rights legislation a difficult time—witness the obstacles he placed in the path of the Civil Rights Bill of 1960.[21] But the potential roadblock to the 1964 bill never materialized. While Judge Smith appeared to be committed to an obstructionist role when John Kennedy was President, the powerful chairman of the Rules Committee seemed to have a change of heart under President Johnson. To the surprise of many, Judge Smith let it be known that he would report a Civil Rights Bill out of the Rules Committee after it had been given due consideration. What changed the Judge's mind is still a mystery. It may have been that he felt the cause to be hopeless in view of the strong coalition mobilizing behind the bill. It may have been that he simply couldn't muster the votes to keep the bill bottled-up in the Rules Committee. There are those who even suspect that a deal was made between Pres-

[21] See Daniel Berman. *A Bill Becomes Law* (New York: MacMillan, 1962), p. 74 et seq.

ident Johnson and Judge Smith. While speculation ran high, there appears to be no evidence that such a deal was made.

With the mysterious capitulation of Judge Smith, the hopes of those who opposed the 1964 bill vanished into antiquity. The strength of the bi-partisan coalition, the indifference of the formal conservative Republican leadership to the Southern cause, and the token opposition put forth by the Southern bloc in the House literally assured the passage of a strong bill.

While the activity of the Southern opponents to the bill in the House was nominal, there did exist a considerable amount of pressure against the bill outside of the legislature. Opposition emanated principally from a little known interest group called the Co-ordinating Committee for Fundamental American Freedoms. William Loeb, publisher of the conservative *Manchester Union Leader,* was President of the organization. John C. Satterfield, a former President of the American Bar Association and legal adviser to former Governor Ross Barnett (D, Miss.), acted in the capacity of Secretary-Treasurer. And John Synon, a public relations man from Richmond, Virginia, served as director of the Washington office.

Since the Co-ordinating Committee for Fundamental American Freedoms was functioning as a lobby, it was required to list the sources of its revenue. The Committee's report for January through March in 1964 revealed that $142,581.16 came from the Mississippi State Sovereignty Commission.[22] The Mississippi State Sovereignty Commission, a state agency headed by Governor Paul Johnson (D, Miss.), was created in 1956 to protect the sates against encroachments from the federal government. It has been argued that the real purpose of the Commission is related to the preservation of segregation in the South. In answering the charges that state funds were being used to support the Co-ordinating Committee for Fundamental American Freedoms, the Mississippi State Sovereignty Commission claimed that only $10,000 of state funds were donated to the Co-ordinating Committee. The residue came from private donors.

[22] Robert E. Baker, "Rights For Sale," *Washington Post* (April 19, 1964), p. 7.

The Co-ordinating Committee, working out of the Carroll Arms Hotel in Washington, functioned primarily as a public relations agency. It confined its activities largely to those areas which had few Negroes and where there appeared to be potential white-backlash support. A vigorous pamphlet campaign was instituted with such titles as "The Federal Eye Looking Down Your Throat," and "Blueprint for Total Regimentatian" set the flavor of the promotion. The most prominent contribution, however, came from the placing of full pages ads in 215 newspapers. The banner of the advertisement stated "$100 Billion Blackjack—The Civil Rights Bill."

The efforts of the Co-ordinating Committee were directed primarily at the public and not so much at individual Congressmen. The campaign, as extensive as it was, proved rather ineffective. This, coupled with the absence of the traditionally conservative business groups (which apparently pre-occupied themselves with the Administration's tax bill at this time), opened the door for quick action in the lower chamber. The bi-partisan coalition seized upon this opportunity, and the 1964 Civil Rights Bill passed the House by a 290-130 roll call vote.[23] Of the 122 amendments submitted to change the bill, only 28 were accepted and these largely nominal changes.[24] The bi-partisan coalition in the House had prevailed. Now it was time to test the Senate.

Organizational Tactics in the Senate

The decisive victory which the bi-partisan coalition achieved in the House proved to be of great benefit to the proponents of civil rights legislation in the Senate. The upper chamber was handed a strong comprehensive bill from which to begin its work. There was no need to start from scratch and to partake in the initial time-consuming business of pulling a number of different proposals together into one omnibus bill. Some groudwork had already been laid. The Senate Commerce Committee had held separate hearings on a Public Accommodations Bill, and had reported it favorably out of committee on February 10, 1964.[25]

[23] *New York Times* (Feb. 11, 1964), p. 1.

[24] See *Congressional Quarterly, Weekly Report*, Vol. XXII, No. 7 (Feb. 14, 1964), p. 293 for a discussion of the various amendments.

[25] *Ibid.*, p. 294.

The initial institutional barrier to be overcome in the Senate revolved around the Senate Judiciary Committee. In the ordinary course of events, proposed civil rights legislation would be assigned to the Judiciary Committee for consideration. Since the Senate Judiciary Committee was chaired by James O. Eastland (D, Miss.), this could have proved to be a fatal blow to the proposed bill. The "rights forces" therefore proposed that the Senate consider the House bill immediately without referring to to the Judiciary Committee. This generated a good deal of controversy since several liberal senators felt that the Judiciary Committee should consider the bill for a brief designated period of time. The rationale behind this thinking was that the specifics of the bill should be crystallized so as to aid the Supreme Court if and when the constitutionality of the proposed legislation was contested. This argument, advanced principally by Senator Wayne Morse (D, Ore.), was not to prevail. On March 26, 1964, after more than two weeks of debate, the Senate voted to by-pass the Judiciary Committee and take up the bill immediately.[26]

After overcoming this first institutional barrier in the Senate, the 1964 bill faced two further major hurdles. The first was related to a need for a bi-partisan coalition not unlike that which successfully pushed the bill through the House. The second barrier pertained to overcoming the Southern filibuster which would be the last major effort to block passage of the legislation.

The problem of forming a bi-partisan coalition in the Senate posed a more difficult issue than in the House of Representatives. In the House, the formal Republican leadership had deferred to a liberal group headed by William McCulloch (R, Ohio). But in the Senate, Everett Dirksen (R, Ill.), the GOP minority leader, kept a tight hold on the controls. Senator Thomas Kuchel (R, Calif.), the Republican minority whip, did work closely with Senator Hubert Humphrey (D, Minn.), but the key to success rested in the hands of Senator Dirksen.

The importance of Dirksen at this stage of progression flowed from the fact that the liberal Democrats could not

[26] *New York Times* (Mar. 27, 1964), p. 1.

muster sufficient support to invoke cloture and thereby cut off the Southern filibuster. Humphrey could count on a number of liberal Republicans to support a cloture move, but the sum total of the liberal coalition still fell short of the required 2/3's needed to cut off the filibuster.[27] Dirksen controlled the votes of those uncommitted Republicans needed to prevail in a cloture move. Hence, the Senator from Illinois became the focal point around which negotiations had to center.

Dirksen was favorably disposed toward the passage of a Civil Rights Bill. But he had many reservations with respect to several of the provisions in the House bill. In particular, the public accommodations provision and the fair employment practices provision disturbed him to the extent that it initially looked as if they would have to be greatly modified.

While the Southern bloc began its filibuster, Dirksen and Attorney General Robert Kennedy negotiated the fine points of the bill. This was done in an atmosphere in which great pressure was being exerted by the Leadership Conference on Civil Rights on one hand, and the Co-ordinating Committee for Fundamental American Freedoms on the other. Beyond these outside influences, however, a great deal of pressure was being brought to bear on Dirksen from William McCulloch (R, Ohio) and other GOP members in the House of Representatives. McCulloch had repeatedly warned that he was not going to have House Republicans "walk the plank" by voting for the controversial public accommodations and fair employment practices provisions of the bill, and then have these provisions "traded away" in the Senate.[28] This, combined with pressures from a number of Dirksen's liberal Republican colleagues in the Senate, apparently led the Republican minority leader to abandon a number of his strong objections to the House bill. In the final analysis, Dirksen offered but a handful of mild amendments to the House bill, most of which pertained to the fair employment practices provision. The problem of securing a broad coalition had been overcome.

[27] The National Committee for an Effective Congress estimated in March that 41 Democrats and 18 Republicans would support cloture. Approximately 8 Democrats and 10 Republicans were still uncommitted.

[28] *Congressional Quarterly, Weekly Report,* XXII, No. 7 (Feb. 14, 1964), p. 294.

The final task of the "rights forces" in the Senate was to organize for purposes of competing with the more experienced Southern bloc. In the past, liberal organization had been fairly ineffective resulting largely in a dominant Southern position. Even in 1957 and 1960 when civil rights bills were passed, the Southern bloc was strong enough to make sure that the successful proposals were of a mild nature.

Senator Hubert Humphrey (D, Minn.), the Democratic whip, was assigned the task of mobilizing the liberal Democratic forces. Humphrey divided his troops into six separate teams. Each team captain was to produce six members on the floor to answer quorum calls issued during the filibuster. The captains were to keep in constant contact with their team members. A master chart was set up in the Democratic Policy Committee room in order to keep track of the whereabouts of members.

Seiator Thomas Kuchel (R, Calif.) worked closely with Humphrey in organizing the bi-partisan forces. Kuchel was responsible for producing 15 Republican Senators for quorum calls. Humphrey and Kuchel issued a daily bi-partisan newsletter telling of the coalition's progress, and announcing the time it took to answer the quorum calls on the preceding day.

That the bi-partisan coalition was well organized is revealed in the great confidence which emanated from the legislative proceedings. Unlike previous years, the "rights forces" posted men on the Senate floor during the filibuster to answer the challenges thrown out by the Southern bloc. Their spirits were high. And their enthusiasm was supported by President Johnson, who noted during the campaign:

> I believe they can pass it, and I believe they will pass it, and I believe it is their duty to pass it, and I am going to do everything I can to get it passed.[29]

The Southern opposition to the Civil Rights Bill was led by Senator Richard Russell (D, Ga.). Russell, who had been in charge of past civil rights battles, was well experienced in the art of parliamentary delay. He divided his 18 Southern sena-

[29] Richard L. Strout, "Rights Battalions Deployed," *Christian Science Monitor* (March 20, 1964), p. 4.

tors into three platoons of six members. Each platoon was headed by an experienced captain: Lister Hill (D, Ala.), John Stennis (D, Miss.), and Allen Ellender (D, La.). One platoon would hold the Senate floor for one day. This meant that if the Senate held around-the-clock sessions as it did in 1960, each Senator would be required to put in a four hour performance every three days. As it turned out, around-the-clock sessions were not held.

The organization of the Southern bloc into a three platoon system worked adequately, though not spectacularly. They held the floor and uttered nearly 6 million words during a three month period. But it was clear from the start that a strong bill was going to be passed. While the South was filibustering, the "pro rights forces" were negotiating the fine points so as to bring forth the best possible compromise. One political commentator noted that only a handful of Southern senators were carrying the real load of the filibuster. The others were resigned to the political realities that the battle was a lost cause.[30] Senator Dirksen perhaps characterized the atmosphere best when he quoted Victor Hugo: "Stronger than any army is an idea when its time has come. . . . The challenge is here—its inescapable and you've got to deal with it."[31]

The issues were joined, the opposing armies had met, and on June 10, 1964, the battle was won. By a vote of 71 - 29 the Senate for the first time in its history invoked cloture on a civil rights filibuster thereby cutting off debate. A total of 44 Democrats and 27 Republicans voted to terminate the filibuster, while 23 Democrats and 6 Republicans voted against it. All 100 senators were present and voting including the late Clair Engle (D, Calif.) who cast his aye vote from a paralyzed position in a wheelchair. The drama of the civil rights battle was coming to an end. Six million words uttered over a period of 75 days. A grand total of 534 hours, 1 minute, and 57 seconds of debate.[32]

[30] Murray Kempton, "The Senate: Mr. Humphrey's Hosts," *New Republic* (April 4, 1964), p. 8.

[31] "Rights Bill Gains on Compromise Path," *Christian Science Monitor* (Mar. 21, 1964), p. 1.

[32] *New York Times* (June 14, 1964), p. 1-E.

For a period of seven days after the invoking of cloture, the Senate dealt with a number of proposed amendments to the House bill. There were well over 500 amendments offered by the senators, but the Senate considered only 118 of these. Twelve amendments were accepted, and though some significant changes in the bill were made, the comprehensive scope of the House bill remained intact. The final version of the bill was passed by a vote of 73-27.[33] A total of 46 Democrats and 27 Republicans voted for the bill, while 21 Democrats and 6 Republicans voted against it.

In Retrospect

The advocates of civil rights legislation had two major tasks to perform before they could hope successfully to get a comprehensive bill through Congress. In the first place, the public had to be awakened to the enormity of the problem of discrimination. This was accomplished over a period of several years by militant interest group demonstrations. The freedom rides, the sit-ins, the school crises, all assisted in opening the eyes of the public to the vastness of discriminatory practices.

Having enlightened the public through political agitation, to the fact that there was a real problem which needed to be rectified, the advocates of civil rights legislation were confronted with a second major problem. They needed to overcome a cluster of institutional legislative barriers which historically had thwarted the passage of effective legislation. The conservative establishment, the apathetic attitude of conservative Republicans, the House Rules Committee, and the Southern filibuster all posed great obstacles which had to be hurdled. But the time for a legislative solution to the problem of discrimination had come. A bi-partisan coalition emerged in each house and rose to the occasion. Through hard negotiation and determined organizational efforts, they successfully met the challenge.

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[33] *New York Times* (June 20, 1964), p. 1.

History. By John Higham, with Leonard Krieger and Felix Gilbert. (Englewood Cliffs, New Jersey: Prentice-Hall, 1965. Pp. 402. $8.95).

American historians will welcome this brilliant account of their profession. Specialists in Negro History will be disappointed to find an almost complete neglect of their field.

History is one of fourteen volumes in The Princeton Studies, *Humanistic Scholarship in America*, under the general editorship of Richard Schlatter. The volumes in this series cover such fields as anthropology, classics, and philosophy. Each book analyzes American scholarship in its field by tracing developments through the years.

For the volume on history, emphasis is on the period since the formation of the American Hostorical Association in 1884. Professor John Higham of the University of Michigan, the principal author, wrote the first three parts of the book He begins by tracing the growth of the profession from 1884 when there were only twenty full-time history professors, through the formation of the A.H.A., its takeover from the amateurs by the professionals, and its growth to a membership of ten thousand in the 1960's. He also describes the training of historians and the development of an audience for historical writing. Then, in the second and third parts of this book, Higham traces the evolution of theories of writing history and of the schools of historians. On theory, he covers the literary amateur historians of the 19th century, the scientific realism of the turn of the century, the New History with its stress on social sciences, the relativism of the thirties, and today's more confident historians. In terms of schools, he successively discusses the evolutionists, the optimistic progressive historians, and today's more sophisticated, but as yet unlabelled, brand of historians. He emphasizes that the profession has survived a crisis of faith in its floundering between-wars decades and is on its way to a vigorous growth. Prominently portrayed are such men as H. B. Adams, J. Franklin Jameson, James Harvey Robinson, Carl Becker, and Charles A. Beard, who were influential in the development of the profession.

The last two parts of the book are written by Professor Leonard Krieger of the University of Chicago and Professor Felix Gilbert of the Institute for Advanced Studeis. Professor Krieger tells the story of American historians who specialize in the field of Modern Europe, tracing their development from the last quarter of the nineteenth century to the present. Professor Gilbert writes about modern historiography, both European and American, but with emphasis on the European thinkers who have done so much to mold our ways of

approaching history. Professors Higham and Gilbert retain the reader's interest without effort. Professor Krieger does not always display their knack of stating weighty matters in a simple, appealing manner. The book has an index.

In any such survey as this, the authors will have to expect to hear plaints of those who find their favorite areas, theories, authors, or workers slighted. To readers of this *Journal,* the failure to say anything about the pioneering labors of Carter G. Woodson and W. F. B. DuBois will seem a glaring omission. Higham mentions the founding of the *Catholic Historical Review* in 1916, the *Hispanic-American Historical Review* in 1918, and a half-dozen others in the 1920's. But there is no mention of the Association for the Study of Negro Life and History that Dr. Woodson founded in 1915 or of the *Journal of Negro History* he launched in 1916. While Higham emphasizes the involvement of the scholar in major affairs, he gives little heed to the efforts of historians, black and white, to unearth the historical records and to correct the historical distortions and myths that contribute to America's gravest national problem, the status of the Negro. The only mention of an author prominent in the field of Negro History is the citing of John Hope Franklin's *From Slavery to Freedom* in a footnote; W. E. B. DuBois, Charles Wesley, Rayford Logan, Herbert Aptheker, and Benjamin Quarles are omitted.

In extenuation, where would Professor Higham—heavily dependent on published accounts—turn to learn all about the field of Negro History? Surely, this points up again the need for a well-written, comprehensive history of the A.S.N.L.H., its *Journal* and *Bulletin,* and its publishing activities. Likewise, biographies of such pioneering Negro historians as Woodson and Luther P. Jackson are long overdue. A start should be made in collecting memoirs, reminiscences, and correspondence of such present-day historians and co-workers of Dr. Woodson as Wesley, Logan, Lorenzo Greene, Quarles, and Franklin. If enough of this is done in time, a future surveyor of the historical profession in America might not overlook the field of Negro History.

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A history of Southern Rhodesia. Early Days to 1934. By L. H. Gann. New York: Humanities Press, 1966. Pp. 302. $10.00).

This is not a history of Southern Rhodesia but a political and economic history of some "white Rhodesians" for the past seventy or more years which almost totally ignores the role, even in politics and economics, of the African, the "Coloureds," the "poor whites" and the "Asiatics." Eight pages are specifically devoted to "White men

and Brown" and eighteen pages specifically to "The Africans." The author promises to employ "the words 'natives' (native is not appreciated by Africans) or 'Africans' for the black-skinned Bantu-speaking races" but he also uses 'half-caste,' "Cape" and "Zambesia Boys" and the terms hated by Africans: "Bantu" (when used in a non-linguistic sense) and "Kaffir."

The "ordinary settler," declares Gann, "never doubted that Rhodesia would remain a 'white man's country' where natives remained at best a 'problem' and at worst an off-stage noise. The country's government revolved round European questions; native affairs remained the specialist's concern, and even the white politician's private correspondence hardly ever mentioned Africans at all."

All but a few Africans were kept off the voting rolls but the "Administration was much more anxious to prevent 'poor whites' from voting, especially poverty-stricken Afrikaners from the backwoods" who had fallen from the dominate group or never reached it. Poor whites were looked upon as a burden and could not be as effectively exploited as Africans neither could they be allowed to degenerate to the level of Africans. They formed a "slum population" characterized by "laziness, dishonesty, prostitution" but practically all of them had the vote and in some situations held the balance of power. The struggle to keep Rhodesia a white man's country continues today with 223,000 whites in the midst of 3,700,000 Africans, 7,500 Asians and about 11,200 Coloureds.

"Land always formed the life-blood of Rhodesian politics." When Jameson invaded Matabeleland in 1893 he promised each member of his force up to 6,500 acres and from 15 to 20 mining claims. Rhodes assured whites "You will be first entitled to select land. It is your right for you have conquered the country." The Africans' right to buy land anywhere in the Colony was no more than "a paper right, a barren right." In 1925 the Land Commissioners approved territorial apartheid. About 62 per cent of the whole land area or 48,605,898 acres were given to whites and 28,933,362 acres or about 37 per cent of the poorest agricultural and mineral-bearing lands for Africans. When in 1930 the Land Apportionment Act received royal assent and became law, the Africans were well on the road to becoming a "landless, homeless and legally controlled" group.

White farmers in Rhodesia feared the competition of African farmers who "were reaping a modest gain" and effectively resisting becoming poorly paid, migrant laborers. In 1924 white workers protested against the training of Africans. In 1929 it was decided to teach things used in African villages that did not involve European implements. All supervisory positions and skilled jobs were reserved

for whites and no African received the pay of a skilled worker even if he did the work. Trade unions among non-white workers were forbidden. Labor legislation such as workmen's compensation and hours did not apply to Africans. All Africans had to obtain a pass before entering Southern Rhodesia and were allowed thirty days to find work or be liable to arest as a vagrant. If an African quit a job without consent he was liable to a fine or two years' imprisonment or both.

White Rhodesians, although predominantly British, ranging from senior administrators, wealthy businessmen, skilled artisans, backvelt farmers to "poor whites" never formed a homogenous whole. Only 5.3 per cent of the European population in 1936 had come from foreign countries. Eighteen per cent of the Empire-born European population was Afrikaans-speaking. About 35 per cent of the European population had been born in Southern or Northern Rhodesia. Beginning in 1924 Southern Rhodesia excluded Indians on economic grounds. "Coloured people of mixed European-African or Asian-African ancestry occupied the lowest rung on the non-African colour ladder." The impression is given that only the "Portuguese frontiersmen, many of them illiterate . . . had children with African girls." That the "cheap steamship ticket, a historian might argue, killed biological assimilation, and even though white housewives never quite managed to put an end to inter-racial affairs in the bush, they did succeed in imposing their own standards on the white community." Later the author writes "European ruffians preyed on the conquered, and . . . the conduct of many of the whites towards their black sisters, married or virgin . . . certainly contributed to the causes which have led up to this unfortunate rebellion."

There is some indication of awareness of how the traditional life of the African was disrupted, family life, work, concepts of ownership of property and other cultural patterns changed but one is given the impression all this was for the good of the African. Authority was almost entirely transferred from African to European. Very little is written of how the friendship, trust, chivalry and kindness of the African, in the beginning, proved detrimental to him; of how traditional enemies, especially when used as police, were used as a device to divide and conquer. The educated and partially educated were the objects of special dislike. Considerable space is devoted to "justifying" the occupation of most and the best land by a small group of Europeans and painting the best possible picture of colonial conditions. The ending of tribal wars is stressed but the reader is not told that many more Africans died in the mines and still more died of disease and malnutrition than were lost through tribal war over many generations; that wars "to protect white settlement" were maneuvers to get land, minerals and cattle.

The colonizers of Southern Rhodesia were interested in trade and adventure. Investment of capital produced profits undreamed of from domestic ventures. The investor was often part of government. The missionary, businessman and the Metropolitan Colonial Office might clash but business and colonist usually won. Articles of business association were framed in such a way that a company "could undertake almost any commercial or political task under the sun."

From reading this book one would not conclude that Southern Rhodesia during most of the Early Days was a slum for Africans and "poor whites." It was a land where poverty, ignorance, and disease characterized the masses; where a large proportion of the population was economically and politically helpless; where African "tribesmen were converted into wage workers" by open or disguised compulsion, poverty and taxation; where African initiative was discouraged and thought and activity not approved by Europeans were legally suppressed. Southern Rhodesia was and is a land seething with resentment and unrest.

This book cannot be definitively declared partisan. Often sources for the other point of view are given in a footnote. Bias is expressed by omission and in euphemisms. The impression is given that documents and treaties written in a language foreign to Africans were "fully explained" and legal when a "mark" was put to a "document of major importance." Justification and explanation are sometimes sought by a not always valid comparison with the United States West and South, England in the early days of the Industrial Revolution, and Australia.

Rhodesians still "need a general history" that will "meet the cannons of scholarship whilst throwing some new light on the creation of" their "plural society."

Irene Diggs

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The History of Black Africa, Vol. I. By Endre Sik. (Budapest: Akadamiai Kiado, 1966. Pp. 398. $9.80).

The enormous current interest in the history of the newly developing areas is manifested again in this publication on Africa. The publishers are the Hungarian Academy of Sciences and the Academy Press. This is the first of three volumes which deal with Black Africa as a special subject of study. Professor Endre Sik presents this treatment in four main parts: (1) Black Africa Prior to the European Intrusion (up to the end of the fifteenth century); (2) Black Africa in the Age of Primitive Accumulation (the slave trade period 16th to the 18th century); (3) Black Africa in the Period of Industrial Capitalism (1789-1870) and (4) Black Africa in the

Period of Transition from Capitalism to Imperialism (conquest and partition of Africa 1870-1919). Some Africans and possibly most Africanists will applaud Professor Sik on his severe restraint of glorification of early African states. Others will note the failure to include data gleaned by the most recent scientific means and tools used by archeologists and anthropologists.

Professor Sik however feels that the proper way of approach to African history is to delineate clearly in the above periods: (1) each African people and country; (2) the history of each colonial entity; (3) the history of colonial policies and activities of each European power and; (4) the internecine struggle between the great powers. On the last he is often curt, clear, and severely critical. He implies that the best undertanding "will be achieved only if the history of Africa is studied and discussed period by period according to those regions which were the actual scnes of that history (p. 22). Within this arrangement, the eminent Marxist scholar has provided the student of African history with a comprehensive volume on Black Africa depicting a diminution of power over long eras to its resurgence which covers almost four-fifths of that continent. Each of the chapters (26 total) has a bibliography related to the treated material and reveals comprehensive reading done by the author. Students on this side of the Atlantic however will question his omission of archival materials from governmental depositories, dissertations, thesis and the lack of an index. All readers will give him due praise for the presentation of visual materials, namely forty six excellent plates of art pieces, personalities and battle scenes, probably all of which were taken from extant or priceless books but only a third of such are so identifed or labelled. Too, there are voluminous bits of information on African personalities and events which heighten both interest and interpretation.

The Africanist who attempts to keep abreast will certainly wish to include this and the following volumes in his personal library. One may disagree with the Marxist and Leninist interpretations it presents in some areas. But whatever its point of view, this particular volume is worth attention for its rich bibliographies, its well considered arguments and its challenging views of Black African historical revelations. Professor Sik is one of the first revisionists who document the fact that Czarist Russia, like most major European powers, engaged in intrigues for the occupation of African soil (Ethiopia). It will be interesting and helpful as well as educational if this type of cool objectivity continues in the remaining volumes.

PAUL MCSTALLWORTH

Central State University
Wilberforce, Ohio

The Overseer: Plantation Management in the Old South. By William Kauffman Scarborough. (Baton Rouge: Louisiana State University Press, 1966. 256 pp. $7.50).

The habit of turning dissertations into books has the interesting side effect of demonstrating the extent to which graduate faculties in history are running into difficulties in their training programs. Scarborough proposes "to ascertain the degree of competence which marked the general performance of the overseer class" and "rediscover" him to secure "proper recognition" for him in the "plantation-slavery regime." Overseers, Scarborough feels, are a part of the Southern white middle class which needs a fresh interpretation because they have been slighted by scholars' taste for the glamour of the planter aristocracy. To what might have been a rigorous economic task he has added a social dimension which would broaden and complicate the basic inquiry.

As laudatory as the aim is, the study suffers from methodological and ideological deficiencies which are fundamental. Trouble begins and continues because the basic assumptions of the study are hampered by lack of data and skills on the part of the author. Save in the hints from the quotations in the body of the study, which are always too long and often too poorly digested, there is no clear picture of "plantation management" as a serious economic function of planter capitalism emerging from this study. For that reason this study cannot be considered a serious contribution to the economic history of the region. The "overseer" is never seen in the steps to bring a commercial staple to market status in a year's routine; and though many pages are devoted to it, one never sees the management of Negro labor to achieve that end. Indeed, there is little indication that the author understands this managerial process himself. Therefore, Chapter 4 and portions of others dealing with this problem are technically useless because no basis for or demonstration of "degree of competence" is ever established.

The study is really a typical southern gambit in human relations, a preoccupation which has retarded the development of technical excellence in scientific inquiry. Developed in the Owsley, *Plain Folk of the Old South* tradition, Scarborough hopes to resuscitate the position of the overseer as much for ideological as for scientific historical reasons. There is certainly nothing wrong with this aim. However, the assumptions that underlie this study and the methodology never seem to make common cause. The aim of his avowed revisionism is a fresh interpretation of what Scarborough calls the middle class to which he claims the "overseers" belonged. He assumed further that you could institutionalize this overseer function and

confine it between dates. (1775-1865). He assumed also that you could take documentation of the overseers' greatest detractors, the planters (he has little or no documentation from the overseers themselves that is historically respectable) and use it for revisonary purposes. He further assumed that the census of 1860 (Chapter 3) could be used to cover the endemic deficiencies of plantation documents in rounding out a picture of the overseer which extends back to 1775. He assumed that by pleading the case of the overseer against planter and slave, by showing the snobbery of the former and the intractablility of the latter, he might surround the overseer with an aura of injured innocence in the fell clutch of circumstance.

Unfortunately, none of these assumptions are adequately tested or demonstrated in the study. "Middle class" as a definite concept in the southern social hierarchy is never elaborated or applied to the overseer. Therefore, the "fresh interpretation" promised never comes off. It could have been predicted that personal papers and plantation records would not permit the adequate institutionalization of the "overseer" either as a person or a functionary. Scarborough himself is aware of this and sought to cure the malady with the statistics of the 1860 censis. He should have known that the most abnormal year in the existence of the institution of slavery would offer the poorest materials for "norms." The assumption that brought Chapters 1, 2, and 3 into existence was not sound.

At the heart of his dilemma is the crucial dependence of the study upon "planter" documents. As was to be expected, no amount of this documentation served to alter the established picture of the overseer already developed in the scholarship of the problem. Scarborough is then forced revisionism by assertion. Chapters 5 and 9 make this approach to the problem inevitable. Scarborough's assertion (p. 78) "It is doubtful whether many overseers had any humanitarian feeling for the slaves under their supervision" cannot be proved; and if it could it would simply demonstrate the truth of the Planter complaint since his slaves were both a labor force and liquid capital. Personal bias of the author might also be present here because the instances are legion where he feels the necessity to isolate common whites from Negroes as a part of the process of the revision of their historical image.

This book demonstrates that closer attention is going to have to be given in training programs of professional historians in hypothesizing and the nature of proof. Further, the point is going to have to be driven home that unless the technical knowledge necessary to undergird a study is in possession of the student, subjects involving such knowledge should not be allowed, And. finally, revision is not just a

pious wish but a result of new documentation and/or technique that expands the horizons of our perpetual search for truth.

George Ruble Wollfolk

Prairie View A & M College

I Do So Politely: A Voice from the South. By Robert Canzoneri. (Boston: Houghton-Mifflin Co., 1965. Pp. 181. Price $4.95)

Smoothing the air wrinkles from an Oriental rug is an easier task than arranging a succinct statement about Robert Canzoneri's *I Do So Politely.* I believe, however, that readers will enjoy the book even if its ideas refuse to lie neatly in the mind.

I Do So Politely is a readable, moderately humorous, anecdotal account of life in Mississippi, written by a native who is directed by logic and experience to view men equally but who occasionally is blinded by emotion generated in a culture which has accepted only the Negroes who can be controlled paternalistically. The occasional evidence of myopia, however, becomes a strength in the book, for Mr. Canzoneri's willingness to bare his ambivalent attitudes provides a credibility generally absent from the writings of leaders of crusades or defenders of flags.

He is aware of some weaknesses in his perception. For instance, he states that a Negro janitor's praise of his television program about Robert Frost brought a sudden realization that Negro listeners share his interest in poetry. Of other weaknesses, he remains unaware. Among the terms which Mississippians use to refer to Negroes, he includes "the word Negro (or as those who attempt dialect often spell it, Nigra)," which "either carries respect, indicates neutrality, or means to remove the speaker from any hint of prejudice." Young Romeo, who often erred about life, may have asked, "What's in a name?" but a Negro knows that Negroes consider the pronunciation *nigra* to be a calculated insult. Even more blind is Mr. Canzoneri's unconscious identification of himself with those "moderates" who urge patience because they fear a violence which rarely ensues. He describes one incident in which, having observed a Negro sitting in the front of a bus, he stepped behind the departing Negro to protect him from a potential attacker. Ironically, however, not only was there no attack, but the Negro, who may have observed Mr. Canzoneri's interest, may have been more alarmed by his preciptitous thrust into the aisle than by any thing else. In similar fashion, Mr. Canzoneri describes his certainty that Hodding Carter would be attacked physically because of his liberal statements at the Southern Literary Festival in 1948. The audience which Mr. Canzoneri feared avenged itself by buffeting Hodding Carter's eardrums with prolonged ap-

plause. These weaknesses, however, do not offend a reader; instead, they illuminate the problems of the Southerner who sincerely wishes to improve race relations.

Such weaknesses fail to scar the general impression that the book affords an honest, often perceptive appraisal of race relations in Mississippi. In Chapter II the author sounds the new tone of his "voice from the South" by writing, "We Southern white people have lived side by side back door to back door with the Negro for all these many years, but we do not really know who he is or what he thinks." Perceptively, the author discerns that the same forces which exploit the Negro exploit the economically subservient non-Negro. Although he once reminds a reader of the Germans who denied knowledge of nearby concentration camps when he reports knowing few incidents in which Negroes were abused physically, he occasionally seems to go to an opposite extreme by straining to picture Mississippians candidly. For instance, he describes the callous brutality of a white man who, delayed by the stalled car of a Negro, shot the Negro and drove away. An impartial reader may ask how the death of the Negro removed the car blocking the road.

Although the light style of writing affords easy reading, one observes literary weaknesses. The statement on the dustjacket begins, "Robert Canzoneri tells what it is like to grow up in Mississippi and shows us that the situation which exploded into violence in 1962 was the natural, perhaps inevitable development of a culture based on unquestioning acceptance of unreality." I do not believe that Mr. Canzoneri ever focuses on the thesis with the clarity implied by the statement, nor do I believe that he intends the reader to derive from the observations of a single individual the sociological verities implied in the statement. Although he states a general intention to show race relations in Mississippi in three different periods—the era before World War II, the "friendly" era immediately after World War II, and the defiant era after the Supreme Court decision of 1954, his organization seems freer. In the first third of the book, he records "a fragment of the tune" of Negro life. In the last two-thirds he focuses on the white people. Other literary weaknesses are a few irrelevant anecdotes and some ineffectual attempts at satire.

Despite the shortcomings, I enjoyed the book and urge that it be read. I believe that, although Mr. Canzoneri has intended to show the white reader that the stereotype of the Mississippi Negro fails to reproduce him exactly, the Negro reader may develop a new image of Mississippi natives. The Negro reader may learn that every Mississippian is not a potential lyncher and that, when demonstrations halt before the conference table, the ensuing talk need not be hopeless. If

the work thus enables Negro and white readers to see their fellow Americans more clearly as human beings, it will prove more valuable than many of the more polemical documents of recent months.

Darwin T. Turner

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Society of the Slave South. By Eugene D. Genovese. (New York: Pantheon Books, a division of Random House, Inc., 1965. Pp. 292. Price, $6.95).

Even after the passage of a hundred years there is still a lively controversy among historians and economists over the question of whether four years of bloody civil war was necessary for the eradication of slavery in the United States. Of course, practically everyone now admits that the institution of slavery was a political as well as moral anachronism in a nineteenth century Christian democratic republic, which stated eloquently in its declaration of independence that "all men were created equal!" But was a bloody conflict for its eradication "irrepressible"? Many southern historians such as U. B. Phillips and C. W. Ramsdell, for example, contend that it was not, arguing that slavery steadily becoming more unprofitable toward the middle of the century had reached its natural limits and probably within less than a generation would have destroyed itself. On the other hand, two Harvard economists, A. H. Conrad and J. R. Meyer in a recent study have attempted to prove the profitability of slavery, by demonstrating that capital invested in slaves by southern planters was just about as productive of income as it would have been in any alternative use. It is not the purpose of Mr. Genovese's book to take sides in this academic debate, or to make an attempt at its resolution; instead; he launches out on new ground, undertaking to show that from the viewpoint of the southern plantation owners, financial profitability was, at most, a minor consideration in a solution of the political dilemma faced by their slaveocracy.

The book is titled the "Political Economy" (not the "Economics") of slavery. This is significant, for the author proceeds to discuss not only such purely economic topics as low productivity of slave labor, soil exhaustion resulting from slave-cultivated cotton, and the impracticability of slave labor in industries other than plantation agriculture, but also the impact of a slave economy on the political and social life of the South. The subtle influence of a slave system on the attitudes, habits, and value concepts is presented in a provocative manner. Was profitability in a pecuniary accounting sense any more essential to the viability of the ante-bellum southern plantation

system than it had been to the medieval feudal system? Although the plantation owner did possess a rather high propensity for conspicuous consumption, it was status not money in which he was primarily interested; and slaves, like acres of land, whether productive or unproductive, were symbols of status. The author, therefore, seeking "to build a case upon which a materialistic (as distinguished from a moral) interpretation of an irrespressible conflict may rest" considers arguments over the profitability of slave labor as superficial and irrelevant: It was the political hegemony and aristocratic ideology of the ruling class rather than any purely economic factors that would have prevented the South from relinquishing slavery voluntarily.

Mr. Genovese presents his case with cogency and logic, but his book like most works which are based upon a collection of previously published articles might be criticized from the standpoint of unity, coherence, and particularly from that of emphasis. For example, considering his main thesis in which economic considerations are subordinated to ideology, it seems that he devotes too much space—more than a hundred pages—to a rather detailed consideration of such topics as causes of low productivity of slave labor, the Negro laborer in Africa, cotton and soil exhaustion, livestock and fertilizers in a slave economy. However, what he has to say on each of these topics should be informative and interesting to the reader who has time for them, even though they may not be essential for proof of his main proportion, that it was not the economic viability of the South or a region, but the political hegemony of the slaveholders as a class which made the war for southern independence an "irrespressible conflict." The author's assertion that slavery prevented the accumulation and investment of capital by the planters, is subject to criticism from the viewpoint of economics. It did not prevent the accumulation of capital, but rather diverted its investment from factories and machines to land and slaves where according to the peculiar psychological and moral outlook of the southern upper class it was more productive of subjective social if not of objective material values.

The author supplements each chapter with copious "Notes," listing source materials with critical comments on the same; and he ends the book with a four page "Bibliographical Note," which is presented as a guide to the more important secondary works for non-specialists on the history of the slave south. *The Political Economy of Slavery* should, therefore be interesting, not only to students of United States history, and to students of the economics of underdeveloped countries, but also to the general reader who desires more than a superficial knowledge of the ordeal and development of American civilization.

L. S. CURTIS

Washington University

A History of Negro Slavery in New York. By Edgar J. McManus. (Syracuse: Syracuse University Press, 1966. Pp. 219. Price, $5.95).

This work provides historians with an exhaustive study of slavery in New York. With the exception of Edwin Olson's unpublished doctoral dissertation completed some thirty years ago, it is the first comprehensive monograph on this subject. McManus goes beyond the traditional master-orientated history of slavery: he discusses the life of the New York Negro under the slave system. The plight of the Negro slave is traced from the relatively humane treatment of the Dutch to the somewhat more stringent rule of the English until the State abolished slavery in the early nineteenth century.

Along the lines pioneered by Richard Wade in his study of slavery in the cities of the South, McManus shows that most of the Negro slaves in New York worked and lived in an urban setting. Unlike their counterparts on southern plantations, New York's slaves labored under a hiring system that resulted in a greater degree of independence and a higher proportion of skilled workers. Against this background, McManus applies the Elkins thesis. He finds that the average New York slave was never as totally dominated as the plantation slave—urban society permitted the slave "to develop a sense of self-identity." The slave's ability to bargain with his master concerning his legal and economic position, the freedom provided by the hiring system, and the constant evasions of the slave codes impeded the development of the Sambo personality that Elkins attributes to the southern slave. Instead of Elkins' passive bondsman, there emerged a "boldly self-assertive" individual. In fact, the "self-assertive" slave played an important part in bringing about the abolition of slavery in New York, preparing "the master class for the ultimate concession."

McManus, however, fails to examine certain aspects of the Elkins thesis. How does Elkins' contention that the differences between slavery in North and Latin America accounted for the destruction of the American Negro's African past apply to New York slavery? How uniform was self-assertion? Did it vary on the basis of background, class structure, etc.? McManus does provide a partial answer to this question in his discussion of the rebellious Spanish Negroes captured by the English. Where did free Negroes stand in relation to Negro slaves and New York society as a whole? The author, unfortunately, devotes far too little space to the free Negro.

Outside of these minor points, this is a thorough and informative work. It contains an excellent discussion of the struggle to abolish slavery in New York. McManus argues that economic factors were of primary importance, idealistic forces only secondary. Where slavery

had been the "cornerstone" of New York's commercial prosperity for most of the eighteenth century, it became a "relatively uneconomical system of labor" as the supply of free white labor increased rapidly in the last-third of the century. The end of slavery, though, did not mean first-class citizenship, for New York like other northern states followed abolition with laws denying Negroes equal status with whites. On the whole, McManus has added a valuable study to the history of the northern Negro.

SETH M. SCHEINER

Temple University

Lift Every Voice. By Dorothy Sterling and Benjamin Quarles. (Garden City, New York: Doubleday & Company, Inc., Zenith Books, 1965. Pp. 116. Price, $2.95).

This is a welcome addition to the series of little books that *Zenith Books* is producing to help young people acquire a knowledge of and a pride in the accomplishments of Negroes who have shaped history. Certainly the biographical approach should enable the young reader to identify with the persons whose efforts furthered the advance of the Negro people in the United States of America. It should make the reader aware that the current Civil Rights efforts are but a link in a long chain of events fomented by known and unknown heroes since the very darkest days of Negro slavery. It should show them that the Negro has never accepted the position of inferiority foisted upon him but has fought in various ways to emancipate and improve himself.

The choice of lives chosen for the biographical study is a happy one for the young reader can understand that there was not a unanimity in the approach used by leaders to obtain Negro rights, that the thinking of individuals sometimes clashed, but that each had the same ultimate goal: full citizenship, human dignity and complete participation of the Negro in every aspect of American life on a level of equality with his white counterpart. Booker T. Washington, W.E.B. Du Bois, Mary Church Terrell and James Weldon Johnson are the great Americans whose lives are recounted

The book appropriately begins with the biography of Booker T. Washington, which is titled "Patting the Lion," a reference to Washington's belief that the Negro could advance if he did not anger the hostile white but would postpone his demand for equal rights in return for jobs and schools. The story reveals Booker T. Washington as a master compromiser whose views were later questioned and criticized by other Negro leaders. And among these was William Edward Burghardt Du Bois whose work is discussed under the heading, "Courage, Brothers!"

This reader found the treatment of Dr. Du Bois' life the high point of the four sketches in the book for the ninety-six year life span of the great Du Bois mirrored the development of the Negro movement for equality from the questioned Atlanta Compromise of Washington to the militancy of the 1960s'—a militancy which Du Bois had helped start in his youth. Certainly, when he died at the age of ninety-five in 1963 in Ghana, the world would never be the same because of this poet, scholar, scientist and fighter for democracy in his homeland, the United States of America.

"Capital Lady" will doubtlessly appeal to young readers from the District of Columbia who may learn for the first time that a woman played a very prominent part in opening up many of the places to which they may go. "General Regulator" her husband called her but never interfered with her activities. This is a warm story that girls will love.

"Lift Every Voice" paints a beautiful story of James Weldon Johnson, "author, teacher, diplomat and public servant," which should inspire young readers of promise to great dreams. But their dreams should not be so difficult to realize because of the work done before by Mr. Johnson.

The authors have chosen well their subjects and have arranged them, I presume, that one may read first of two men who had differing points of view about solving the white problem faced by Negroes, then of a woman who tried to help breach segregation in the Nation's capital, and finally of the public servant and author whose "Lift Every Voice and Sing" is known by all Negroes. However, this reader thinks a more effective presentation would be to end with the biography of Dr. Du Bois. Thus, the thread that binds the four persons, this involved desire to have the American Negro reap his full rights as an American citizen, could be viewed from its point of compromise to its point of extremism as Dr. Du Bois applies for membership in the Communist Party when he is ninety-three years old. This application for membership has always seemed to have been a final gesture of frustration, and, in an individual way, may be deemed symbolic of the actions contemporary Civil Rights groups take when they face frustration in the Civil Rights arena.

A good book for your children. They might take "courage, brothers! The battle for humanity is not lost. The morning breaks over the bloodstained hills. We must not falter, we may not shrink. Above are the everlasting stars." (p.39).

Edna Burke Jackson

Mitchellville, Md.

AFL-CIO Vice President A Philip Randolph spoke over C.B.S. September 4, 1966 on "Face The Nation." He is one of America's most outstanding labor leaders and statesmen. His address stressed the plight of colored people in American labor organization and it included the Civil Rights Movement in statesmanlike and philosophical fashion.

Dr. Ulysses G. Lee, Jr. reports from a sojourn in the Virgin Islands during the summer of 1966 rare sources there of *kultur geschichte.* Though still young, he has achieved *distinction* as *scholar, writer* in the joint-authorship of the *Negro Caravan* and *The Emplyoment of Negro Troops,* and *great teacher* which he demonstrated at at *Lincoln University* (Pa. and Mo.) and Morgan State College.

President Lucius Holesy Pitts of Miles College, Birmingham, Ala. has raised and spent $1,250,000 since the fall of 1963 in capital improvements at the college. A $500,000 science building and rehabilitation of other buildings are parts of his accomplishments. Fifteen Ph.D.s have been added to the faculty. *Time's* article about Miles College, Nov. 8, 1963 started the movement of contributions which extended as far as India!

Howard University is expected to enroll in all departments 11,500 students in September 1966—the largest of record in the institution's 100th year. Over 2,500 Freshmen will enter the College of Liberal arts. A new three story building for the Graduate School of Social Work is under way at the entrance to the campus.

J. H. Jackson, president over 15 years of the National Baptist Convention, Inc., presided over the annual meeting Sept. 6-11, 1966 at Dallas Texas. This largest body of 5,000,000 colored religious communicants in the world had 15,000 delegates! Jackson is a powerful constructive leader ardently devoted to civil rights, the ballot, and progress. A memorial session with Jackson as speaker for the late President Kennedy was held Sept. 11, 1966.

Dr. Louis Ruchames, long a contributor to the *Journal of Negro History,* began teaching American history at the Univ. of Mass. Branch in Boston Sept. 1966. He has written extensively in the fields of Negro history and is a distinguished historian that has long emphasized cultural, intellectual, and social history.

Donald Lee Bert, a former shoeshine boy, will enter Harvard as a pre-medical student in Sept. 1966. He worked at the Ridgeway Country Club and was awarded a National Merit Scholarship of $1,500 for four years at Harvard. Standing in the upper 15% of his

White Plains, N.Y. high school class, he was admitted to Harvard College and the club raised more than $2,000 to be used by Bert during his first year.

Dr. J. L. S. Holloman, Jr. has been elected president of the National Medical Association at the annual meeting in Chicago, Ill, Aug. 1966. He is not only a great young physician but a medical statesman in his vision of the precarious conditions of medical care among colored people in the United States with only about 7,000 colored doctors!

U.S. Solicitor General Thurgood Marshall addressed the *Alpha Phi Alpha* convention in St. Louis, Mo. and said: "Anarchy is anarchy. Neither race nor frustration is an excuse for either lawlessness or anarchy. We need to go down into the ghettoes. We know where they are, a whole lot of us started there." Marshall is the prince of colored lawyers and his noble work in civil rights justifies his pungent words at this critical time.

Judge Raymond Pace Alexander of Common Pleas Court No. 4 of Philadelphia, Pa. has written a decision in behalf of the Philadelphia Bar's Association Community Legal Service, Inc. This was financed by nearly $750,000 in OEO funds. Some lawyers opposed the venture, but Judge Alexander after long hearings handed down the decision of far-reaching importance upholding the service as *Lawful and beneficial* to the community.

Attorney General of the U.S., Nicholas Katzenbach, said Aug. 17, 1966: "Poverty and despair, not black Communists and Black Nationalists, are the villains behind big city rioting." He emphasized further before the U.S. Senate Government Operations Subcommittee that years of failure have produced conditions which can explode in violence fomented by agitators.

Lincoln (Pa.) and Princeton Universities will in 1966-1967 reestablish their 112-year old ties through a cooperative program made possiible by a federal grant of $113,000 under the Higher Education Act of 1965. There will be an exchange of Ph.D. candidates between the two institutions as well as faculty members. Indeed, this may well be the greatest step forward under President Wachman in Lincoln (Pa)'s 112-year history!

Martin Luther King was rated by *Newsweek's* Aug. 22, 1966 survey of Civil Rights leaders 88% and at the top of leaders in this troubled field. A. Philip Randolph and Whitney Young were ranked next. The *triumvirate* shows progress over the years in the fact that colored people at long last have begun to choose their leaders in contrast to accepting those *selected and imposed* for over a century!

U.S. Commissioner of Education Howe has revealed that two edi-

tions of many history and social studies textbooks for public schools have circulated for years—one for Southern and another for other sections of the country. He noted that in many public school textbooks the Negro dropped out of existence about 1870! He also cited pro-slavery and pro-Southern "stereotypes" which are still prevalent in textbooks even in the north.

Dr. Allan M. Carter, President of the American Council on Education, in his book, *The South in Continuity and Change*, listed Johns Hopkins as the only Southern institution (not really in the South) among 22 of the greatest centers in *graduate education.* The next group of 49 had only 3; North Carolina, Texas, and Virginia are public institutions in the Southern region. The South, therefore is the most backward region in the field, but the *Research Triangle of Duke, North Carolina, and Wake Forest* is a most hopeful prospect of progress.

Charleston, S.C. Citadel, the State-supported military college, has admitted its first colored cadet, Charles D. Foster of Charleston is the successful candidate out of 6 applicants. Three failed to make the requirements and two failed to pay the required fees for entrance after being accepted. This probably is the first entry of a colored candidate into a military college in the South.

The World Court's refusal to hear charges by Ethiopia and Liberia of racial discrimination against South Africa's Administration of South West Africa leaves no course except appeal to the United Nations! Ambassador Marof of Guinea, chairman of the General Assembly's 11-nation Apartheid Committee, charged that the decision was motivated by the nationality of the 15 judges of the international tribunal. The case went to the World Court in 1960 after being debated 12 years in the United Nations.

President Walter N. Ridley of Elizabeth City, N.C. State College, announced Aug. 3, 1966 two dormitories for men and women housing 300 students were advertised for bids amounting to $900,000. Further bids for a $600,000 cafeteria were scheduled for Sept. 15, 1966, and all of the structures are part of a 7-building plan for the 75th anniversary of the college this year.

A research report under the direction of Dr. E. Perry Crump of Meharry Medical College and associates from Fisk University was presented to the International Congress in Moscow Aug. 4-11, 1966. Miss Ann E. Dickeraon, psychologist in pediatrics at Fisk and others were among the delegates. Some 800 mothers and their children through age 5 were explored to assess growth development physiologically, psychologically, and sociologically.

There are, according to Ralph McGill, over 5,000,000 Negroes and

1,000,000 whites in the ghettos and slums of big cities who have moved from the South since 1920. They trekked in response to the demands of war-industries of World War II. When the plants closed, technology superseded un-skilled labor with only rural farm preparation. Thus the ghettoes and slums have been deluged with ignorant, unemployable, and hopeless millions upon whose dire plights agitators and demagougues now prey with riotous glee!

President L. B. Johnson has nominated Judge Wade Hampton McCree, 46, of Detroit, Mich. to the U.S. 6th Circuit Court of Appeals of Cincinnati, Ohio. He will be the third such U.S. judge when confirmed, following Judges William Hastie and Thurgood Marshall. Judge McCree is an alumnus of Fisk University and Harvard University Law School and he has been a prominent leader in the Democratic Party of Michigan.

The erstwhile shadows and fantastic ideas of Marcus Garvey rise again after nearly 40 years! He was convicted of using the U.S. mails to defraud, imprisoned, and pardoned to be deported to his native Jamaica. Young Stokely Carmichael from Trinidad with more intemperate, incredible, and nihilistic notions has been accused of inciting riots in Atlanta, Ga. where he was jailed under a $10,000 bond which was reduced to $1,000 for his release on bail. His so-called "black-power" out—Garvies Marcus Garvey in *fomenting* violence to which SNCC was *originally opposed.* Carmichael has captured the leadership of this civil rights organization and reversed its original objectives by repudiating *non-violence.*

Melvin B. Tolson, Avalon Foundation Professor of Creative Literature at Tuskegee Institute, died Sept. 2, 1966 in Dallas, Texas at 66. The foundation established the chair at Tuskegee with a grant of $300,000 and Tolson served just one year. He had a very colorful and fruitful career as great teacher and writer in *belle-lettres* with many publications in his chosen fields. He was a very distinguished *literatus* whose many literary works and teaching are his memorial.

Lillian Smith died at the age of 68 Septemeber 27, 1966. She was a native of Florida, served 3 years as a Methodist missionary in China, and returned to Georgia. Here she became the distinguished author of *Strange Fruit* which was a best-seller that sold over 3,000,000 copies in 16 languages and *Killers of the Dream* of similar distinction as well as other books. But Lillian Smith was much more that a great writer and her *fame* rests upon opposition to jimcrowism and segregation that she attacked in lectures and voluminous writings! She demonstrated that the South did not lose the Civil War, but regrouped its forces under the flag of segregation and jimcrowiism which still flies with the "stars and bars." This saintly heroine was

undoubtedly the noblest woman yet to emerge in the American South! She sensed the supercession of jimcrowism and segregation to slavery and their teaching and worship from the cradle to the grave in every section of the United States! Lillian Smith moved humbly with righteous non-violent vengeance and determination in the still unreconstructed South and before her God. Her crown, reserved for the valiant and noble, is won and her pioneering work will rank in American history as the greatest that has yet appeared in the South!

Errors

In the July 1966 *Journal of Negro History*, p. 235, line 10 "Attorney" should have been "Solicitor."

"In *Dred Scotty. Sanford,* five Supreme Court Justices referred directly but obviously to the Somerset case." A portion of this sentenece was omitted *inadvertently* by the printers on page 193 and paragraph 1 of the July 1966 *Journal of Negro History.*

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